

VII. Worker Rights

WORKER RIGHTS

Findings

- The U.N. committee that reviewed China's compliance with the International Covenant on Economic, Social and Cultural Rights in February 2023 highlighted worker rights violations in China and called on the People's Republic of China (PRC) government to address unsafe working conditions; widespread discrimination against migrant workers; gender and ethnic discrimination; lack of protection for workers in the informal economy; and inadequate access to various employment-related benefits.
- Gender discrimination in the workplace in China was a focal issue this past year as PRC authorities aimed to strengthen the legal framework and guidelines on safeguarding women's rights in the workplace. Women are the primary victims of sexual harassment in the workplace in China, but access to legal relief is rare. In a case that epitomized China's emerging #MeToo movement, a former female intern at state media outlet China Central Television (CCTV) who brought a lawsuit against a male CCTV television host in 2018 for sexual harassment lost her final appeal in August 2022 based on what a court in Beijing municipality said was "not sufficient" evidence.
- China Labour Bulletin, a nongovernmental organization in Hong Kong, documented 830 strikes and other labor actions in 2022 on its Strike Map and 2,272 public requests on its Worker Assistance Helpline Map in 2022. More than 87 percent of these strikes and labor actions and nearly 90 percent of requests for assistance were related to wage arrears.
- Worker protests overlapped with frustration at the harsh and disproportionate measures imposed under China's zero-COVID policy and the economic impact of the pandemic after those measures were lifted. Protests in late October and November 2022 at Foxconn's factory campus in Zhengzhou municipality, Henan province—the largest assembly site of Apple iPhones in the world—demonstrated worker dissatisfaction with Foxconn's management of worker health and safety and deceptive recruitment promises.
- PRC authorities' suppression of worker representation and independent labor advocacy in China has left little space for workers to organize, express their grievances, or negotiate satisfactory remedies. In May 2023, a migrant workers' museum on the outskirts of Beijing municipality closed after 15 years due to its impending eviction.
- Changes to one of China's major health insurance programs led to street protests by thousands of retired workers in Guangzhou municipality, Guangdong province; Wuhan municipality, Hubei province; and Dalian municipality, Liaoning province. Authorities in Wuhan detained **Zhang Hai** and **Tong Menglan** for expressing support for the protesters.

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Recommendations

Members of the U.S. Congress and Administration officials are encouraged to take the following actions:

- Promote and support bilateral and multilateral exchanges among government officials, academics, legal experts, and civil society groups to focus on labor issues such as freedom of expression, freedom of association, collective bargaining, employment discrimination, occupational health and safety, and wage arrears. Support capacity-building programs that strengthen Chinese labor and legal aid organizations defending the rights of workers. Recognizing the challenges of safeguarding the rights of gig economy workers, convene exchanges to develop international standards on labor rights for workers in the digital platform economy, such as transparency in contractual labor relationships, data privacy, and dispute resolution, among others.
- Advocate for the immediate release or confirmation of the release of individuals detained for supporting workers and labor rights, such as **Xiao Gaosheng, Fang Ran, Wang Jianbing, and Zhang Hai**.
- Call on the Chinese government to respect internationally recognized rights to freedom of association and collective bargaining and allow workers to organize and establish independent labor unions. Raise concern in all appropriate trade negotiations and bilateral and multilateral dialogues about the Chinese Communist Party's role in collective bargaining and elections of trade union representatives, emphasizing that wage rates should be determined by free bargaining between labor and management.
- Whenever appropriate, integrate meaningful civil society participation into bilateral and multilateral dialogues, meetings, and exchanges. Invite international unions and labor non-governmental organizations (NGOs) and domestic civil society groups from all participating countries to observe relevant government-to-government dialogues.
- Encourage compliance with fundamental International Labour Organization (ILO) conventions. Request that the ILO increase its monitoring of core labor standards in China, including freedom of association and the right to organize.

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Introduction

The Commission’s 2023 reporting year overlapped with the final months of the People’s Republic of China (PRC) government’s coronavirus disease 2019 (COVID-19) pandemic control and prevention measures—known as the “zero-COVID” policy—and the abrupt end of most of those measures in December 2022.¹ The harsh and disproportionate implementation of the policy² and the lack of preparation for the consequences of the policy’s end³ contributed to worsening conditions for worker rights in China and exacerbated worker precarity.⁴ Multiple worker protests during this past year were linked to frustrations with zero-COVID policy implementation⁵ as well as to long-term problems in worker rights protections.⁶ High rates of youth unemployment (ages 16 to 24) were reported this past year—19.3 percent in June 2022⁷ and 20.4 percent in April 2023.⁸ Chinese technology companies also laid off thousands of employees⁹ due in part to the PRC government’s regulatory crackdown on the technology sector.¹⁰ Many employed in the platform economy—such as those doing courier and delivery work—worked excessively long hours, were vulnerable to work-related health hazards,¹¹ and were often without access to formal labor relationships that safeguard rights provided in Chinese labor law.¹² The PRC government encouraged workers over 60 years old who had already retired to return to active work in light of demographic changes to the population, but individuals in this age group are not adequately protected by labor law in China.¹³

Worker rights were a focal issue in February 2023 when a U.N. committee examined China’s compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹⁴ The ICESCR deals directly with the right to work in Articles 6 through 8, and includes standards of gender equality and non-discrimination in other articles that implicate workplace rights.¹⁵ In a 2005 General Comment regarding Article 6 and other ICESCR provisions, the Committee on Economic, Social and Cultural Rights noted that “[t]he right to work is essential for realizing other human rights and forms an inseparable and inherent part of human dignity.”¹⁶ The committee’s concerns during two review sessions and criticisms in subsequent concluding observations about the Chinese government’s violations of worker rights under the ICESCR included the following highlights:¹⁷

- The lack of a right to form independent trade unions and limits on freedom of association;¹⁸
- Gender discrimination and sexual harassment of women in the workplace;¹⁹
- Discrimination against migrant workers, especially as a consequence of the household registration (*hukou*) system;²⁰
- Discrimination against workers from ethnic minority groups, particularly in the use of forced labor;²¹
- Unpaid wages to workers, and precarious labor conditions and access to social security and pension schemes for workers engaged in informal work and platform labor;²²

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- Unsafe working conditions, intensified by the COVID-19 pandemic.²³

The committee commended China's ratification of two International Labour Organization (ILO) forced labor conventions,²⁴ to which the PRC approved ratification in April 2022 and completed in August 2022.²⁵ Despite the PRC official delegation's denials of the existence of forced labor of Tibetans, Uyghurs, and other ethnic minority groups in China,²⁶ the committee urged the PRC government to "immediately dismantle all systems of forced labour in place, both private and public, including at the local level, and release all individuals subject to forced labour."²⁷ [For more information on forced labor in China, see Chapter 10—Human Trafficking, Chapter 14—Business and Human Rights, and Chapter 18—Xinjiang.]

Protecting the Rights of Women in the Workplace

Gender discrimination in the workplace remained a pervasive problem for women in China,²⁸ an issue that has been heightened by the PRC government's promotion of childbearing to counterbalance the aging population.²⁹ Employers reportedly have circumvented paying for maternity leave by not hiring female workers, subjecting pregnant women to harassment or firing them, and canceling business registrations to dissolve employment relationships.³⁰ A survey by a Chinese recruitment website found that 61.2 percent of women said they had been asked about their marriage or childbirth plans during job recruitment in 2022.³¹ China Labour Bulletin (CLB), a nongovernmental organization in Hong Kong, recorded 14 cases in 2022 regarding pregnancy and maternity leave violations in China on its map of workers posting "calls-for-help" on social media³²—11 involved a lack of payment of wages or provision of benefits during maternity leave, and 3 involved women who were penalized or fired due to their pregnancy or maternity leave.³³

Women are the primary victims of sexual harassment in the workplace in China,³⁴ but they face multiple difficulties in bringing forward claims of sexual harassment, including a lack of reporting channels at the workplace,³⁵ fear of retaliation,³⁶ expensive and time-consuming judicial procedures, and feelings of shame.³⁷ In a case that epitomized China's emerging #MeToo movement,³⁸ a former female intern at the state media outlet China Central Television (CCTV) who brought a lawsuit against a male CCTV television host in 2018 for sexual harassment lost her final appeal in August 2022.³⁹ The appeals court in Beijing municipality found that the evidence she submitted was "not sufficient."⁴⁰ Until the recent legal changes to the PRC Civil Code⁴¹ and the PRC Law on the Protection of Women's Rights and Interests,⁴² sexual harassment in Chinese law was not clearly defined, and Chinese courts have not been willing to accept various forms of evidence.⁴³ Access to legal relief has been rare in cases where women brought workplace sexual harassment claims to court.⁴⁴ In a June 2022 study, researchers found only 133 instances of civil or administrative trials involving workplace sexual harassment between 2002 and 2020.⁴⁵ Judges reportedly referenced sexual harassment in 92 of

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those cases, but sexual harassment victims won in only 4 cases from among 13 in which the victim was the plaintiff.⁴⁶ Moreover, figures cited by an ILO expert committee suggest that in China, as “alleged victims bear the burden of proof, only a small percentage of the lawsuits filed result in a [ruling against] the alleged perpetrator and rarely in compensation for the victim.”⁴⁷ Women continued to turn to social media to make sexual harassment accusations.⁴⁸ In April and May 2023, about two dozen women posted online about sexual harassment they were subjected to by a prominent screenwriter.⁴⁹

This past year, PRC authorities aimed to strengthen the legal framework on safeguarding women’s rights in the workplace,⁵⁰ with amendments to the PRC Law on the Protection of Women’s Rights and Interests, effective January 1, 2023,⁵¹ a multi-agency guiding opinion that describes certain benefits for pregnant employees and those on maternity leave;⁵² a variety of “model” legal cases;⁵³ and practical reference materials for employers.⁵⁴ Previously, experts have pointed to gaps between “how the law works in theory and the social reality rampant with gender inequalities has rendered most gender legislation in China merely guidelines instead of implementable laws.”⁵⁵ But in an assessment of women’s rights protection in China submitted to the U.N. Committee on the Elimination of Discrimination against Women, the Center for Human Rights at the state-affiliated China Academy of Social Sciences expressed confidence that newly issued “remedial measures,” particularly those in the amended Law, will “deal with the problem of the lack of effectiveness of rights remedies.”⁵⁶

Worker Strikes and Protests

The PRC government does not publicly report on the number of worker strikes and protests, making it difficult to obtain comprehensive information on worker actions.⁵⁷ Official censorship of news outlets and social media,⁵⁸ the harassment and detention of citizen journalists and labor advocates,⁵⁹ and restrictions on foreign journalists (heightened during the COVID-19 pandemic),⁶⁰ limited access to information about labor unrest in China. PRC law does not explicitly prohibit Chinese workers from striking.⁶¹ In some instances, authorities have prosecuted such activity as a disturbance of public order under Chinese criminal law.⁶²

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WORKER STRIKES AND OTHER LABOR ACTIONS BY SECTOR BASED ON CHINA LABOUR BULLETIN'S (CLB) STRIKE MAP⁶³

| Year | Manufacturing | Construction | Transportation | Services | Other | Total number documented |
|------|----------------|----------------|----------------|----------------|---------------|-------------------------|
| 2022 | 4.5% (37) | 48% (399) | 21.5% (179) | 21% (174) | 4.9% (41) | 830 |
| 2021 | 6.0% (66) | 38.4% (420) | 33.6% (368) | 14.4% (158) | 7.5% (82) | 1,094 |
| 2020 | 10.9% (87) | 44.8% (358) | 19.5% (156) | 18% (144) | 6.9% (55) | 800 |
| 2019 | 13.8% (191) | 42.8% (593) | 12.3% (171) | 23.0% (319) | 8.0% (111) | 1,385 |
| 2018 | 15.4% (263) | 44.8% (764) | 15.9% (272) | 16.8% (286) | 7.1% (121) | 1,706 |

CLB documented 830 strikes and other labor actions in 2022.⁶⁴ CLB uses traditional media and social media reports to compile its data on worker actions, and acknowledges that it can document only a small percentage of all such activity given limits on information in China.⁶⁵ While the 2022 data shows a 24.1 percent decrease in labor actions from 2021,⁶⁶ CLB also documented 2,272 instances on its map of workers posting “calls-for-help” on social media in 2022.⁶⁷ More than 87 percent of strikes and worker actions from its “Strike Map”⁶⁸ and nearly 90 percent of the documented calls-for-assistance were related to wage arrears,⁶⁹ underscoring a long-term trend. In the first months of 2023, CLB also noted an uptick in protests among workers in the manufacturing sector, similarly linked to unpaid wages.⁷⁰

THE ZERO-COVID POLICY AND ITS AFTERMATH

Many worker protests this past year involved frustration with measures imposed under the harsh zero-COVID policy and the economic impact of the pandemic after those measures were lifted. As one Chinese labor advocate observed, “Workers have been the most susceptible group under the pandemic, with both the immaterial threat of the virus and the material crisis in their livelihoods compelling them to protest.”⁷¹ The following examples illustrate a range of worker actions related to the zero-COVID policy:

- **Migrant workers in “urban villages.”**⁷² In Guangzhou municipality, Guangdong province, migrant workers living in “urban villages” primarily in the textile manufacturing hub of Haizhu district, protested food scarcity and lockdowns in mid- and late November 2022.⁷³ In addition, sources reported that hundreds of workers had been released from quarantine facilities, but the “urban villages” in the area were blocked off, leaving some workers unhoused and without food.⁷⁴
- **Medical students.** With Chinese hospitals overburdened as a result of the discontinued zero-COVID policy,⁷⁵ medical students voiced concerns during protests in December 2022 about equal pay for equal work, inadequate pandemic protective

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measures at hospitals, and maintaining scheduled holiday leave.⁷⁶

- **Factory workers.** In January 2023, protests at several factories throughout the country that had produced COVID-19 testing materials erupted as factories were shut down following the end of the zero-COVID policy, with workers left unpaid.⁷⁷ Many of the workers were hired as “dispatch” labor, through third-party recruiting agents, a form of labor that has allowed employers to avoid paying workers under legal loopholes.⁷⁸

- **Public sector workers.** In December 2022, former COVID-19 public workers—often referred to as “big whites” (*da bai*) for the white hazmat suits they wore—held protests in multiple locations related to wage arrears.⁷⁹

Protests at Foxconn’s “iPhone City”⁸⁰ in October and November 2022

Protests in late October and November 2022 at Foxconn’s factory complex in Zhengzhou municipality, Henan province, reflected worker dissatisfaction with Foxconn’s management of worker health and safety, and misleading recruitment promises. As the largest manufacturing base of Apple iPhones in the world, Foxconn’s Zhengzhou plant is staffed by an estimated 200,000 workers,⁸¹ with a reported capacity for 300,000.⁸² In October 2022, as COVID-19 cases were rising in Zhengzhou and some parts of the city went into lockdown,⁸³ some Foxconn workers tested positive for COVID-19 despite the “closed-loop” arrangement—in which employees stayed on the factory campus, moving between factory workshops and on-site dormitories—instituted by Foxconn to prevent the spread of infection and maintain production.⁸⁴ Foxconn reportedly was not prepared for the COVID-19 outbreak in Zhengzhou and did not provide adequate medical treatment, food, or hygienic conditions for workers who were quarantined for testing positive.⁸⁵ Without access to credible information about conditions, workers feared falling ill from the proximity of COVID-19-positive employees, and protested in October by leaving in the hundreds and possibly thousands, including by climbing over fences.⁸⁶

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Protests at Foxconn's "iPhone City"⁸⁰ in October and November 2022—Continued

Foxconn worked to boost recruitment of seasonal workers with promises of higher wages and bonuses after the October protests.⁸⁷ Some of these workers were recruited by recruiting agents at companies as well as by local officials in Henan.⁸⁸ Employing an excessive percentage of temporary seasonal workers, a cohort who are not provided full employment benefits,⁸⁹ was previously documented as a labor rights violation at Apple's Foxconn sites in China.⁹⁰ In late November, protests broke out when seasonal workers reportedly learned that they would only be eligible for the higher wage and bonuses they had been promised during recruitment outreach if they worked two additional months.⁹¹ Thousands of workers participated in the November protests, and video shared on social media showed scenes of violence, including workers smashing surveillance cameras⁹² and public security officials beating workers.⁹³ Apple reportedly sent staff to the Zhengzhou facility in November to work with Foxconn managers to respond to workers' concerns.⁹⁴ Foxconn subsequently offered cash payouts to workers to quit and depart the site, and promised a larger bonus to those willing to stay through January 2023.⁹⁵ A source told Reuters that 20,000 workers described as "new hires" left the Zhengzhou Foxconn complex in connection to the November protests.⁹⁶ Foxconn again raised wages and bonuses at the Zhengzhou facility for a recruitment push in May 2023.⁹⁷

Advocating for Worker Rights

CONTINUED SUPPRESSION OF LABOR ADVOCACY AND CIVIL SOCIETY

Labor unrest this past year spotlights the need for robust rights protection of workers, but PRC authorities' suppression of worker representation and independent labor advocacy has left little space for workers to organize, express their grievances, or negotiate satisfactory remedies.⁹⁸ Reflecting on multiple detentions of labor advocates since 2015 and the closure of labor nongovernmental organizations (NGOs) in 2018 and 2019, a former labor advocate in China described current conditions for worker rights in China as "slow-burn repression."⁹⁹ In May 2023, a migrant workers' museum on the outskirts of Beijing municipality—a hub of migrant workers' nongovernmental space—closed after 15 years due to its impending eviction.¹⁰⁰ The Commission continued to monitor cases of detained labor advocates, such as **Xiao Gaosheng** (also known as **Xiao Qingshan**) whom authorities sentenced to four years and six months in prison in March 2023,¹⁰¹ and **Fang Ran** and **Wang Jianbing**, both of whom authorities held in pretrial custody since detaining them in August 2021¹⁰² and September 2021,¹⁰³ respectively.

THE PARTY'S "BRIDGE" TO WORKERS: THE ALL-CHINA FEDERATION OF TRADE UNIONS

Chinese law violates international worker rights standards with regard to the right to organize independent trade unions and engage in collective bargaining.¹⁰⁴ The Chinese Communist Party-led All-China Federation of Trade Unions (ACFTU) is the only trade union organization permitted to represent worker rights.¹⁰⁵ Categorized as a "mass organization," the ACFTU acts as an intermediary organization between the Party and workers,¹⁰⁶ and is required to adhere to the leadership of the Party.¹⁰⁷ The ACFTU has been criticized for not effectively representing workers' rights to employers¹⁰⁸ and aligning itself with enterprise management rather than workers.¹⁰⁹ In recent years, PRC leader Xi Jinping tasked the ACFTU with institutional reform¹¹⁰ and greater ideological discipline, the latter of which includes vigilance against "hostile forces" interference in rights protection" activities and the creation of independent or grassroots trade unions, according to an article in the Party's official theoretical journal *Seeking Truth (Qiushi)*.¹¹¹ Although two labor experts from CLB reported that the ACFTU has made some progress in expanding unionization to gig- and tech-sector workers this past year,¹¹² another expert observed that the ACFTU has not developed institutional channels to effectively handle labor disputes in these new employment sectors.¹¹³

Selected Issues in Chinese Labor Rights

RETIRED WORKERS PROTEST CHANGES TO HEALTH INSURANCE

Retired workers protested in the streets in the thousands this past year in opposition to the PRC government's policy change to Urban Workers' Basic Health Insurance, one of China's two health insurance schemes.¹¹⁴ Reported protests took place in Guangzhou municipality, Guangdong province (two in late December 2022 and one in early January 2023);¹¹⁵ in Wuhan municipality, Hubei province, on February 8, 2023;¹¹⁶ and February 15, 2023;¹¹⁷ and in Dalian municipality, Liaoning province, on February 15, 2023.¹¹⁸ The policy change authorized local municipal governments to reduce the amount of money provided each month to workers' personal health insurance accounts and increase amounts to larger pooled accounts that are meant to support more expensive healthcare costs.¹¹⁹ Retired workers, who primarily used the funds in their personal accounts for medicine and outpatient services, expressed concern that they would no longer be able to pay at a time when costs were increasing.¹²⁰ An article in the *Economic Daily*, an official media outlet, called for a "rational" perspective on the policy change following the protests, claiming that those insured could anticipate long-term benefits as the health insurance system improves over time.¹²¹ But with municipal government pooled accounts depleted due to pandemic prevention costs,¹²² one expert envisioned difficulties in meeting retired workers' health needs, among other public goods.¹²³ While the Commission did not observe a widespread crackdown following the protests, Wuhan public security authorities reportedly investigated participants and de-

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tained at least five individuals who publicly supported the protesters in Wuhan,¹²⁴ including **Zhang Hai**¹²⁵ and **Tong Menglan**.¹²⁶ Authorities previously had targeted Zhang for his advocacy on behalf of COVID-19 victims in China,¹²⁷ following his father's death from COVID-19 in February 2020, in Wuhan.¹²⁸

WORKER SAFETY AND INDUSTRIAL ACCIDENTS

Official reports do not provide an accurate or comprehensive picture of workplace accidents or ongoing challenges to workplace safety in China.¹²⁹ The head of the Ministry of Emergency Management (MEM)—an agency that is responsible for oversight of worker safety—asserted in March 2023 that workplace accidents had decreased by 46.9 percent based on 2017 levels, though no actual numbers were mentioned in the People's Daily report on his comments.¹³⁰ Government data showed a continued decline in workplace deaths.¹³¹ According to the National Bureau of Statistics of China (NBS), 20,963 people died in workplace accidents in 2022,¹³² compared to 26,307 deaths in 2021.¹³³ Lacking disaggregated data from the NBS, it is unclear whether this statistic includes data from the service sector, such as delivery drivers, or from deaths linked to construction.¹³⁴ False reporting and underreporting obscures the truth about workplace accidents: in one such case this past year, local officials in Qianxi county, Tangshan municipality, Hebei province, reported two “missing” workers, resulting from the flooding of an iron ore mine in September 2022.¹³⁵ It was later discovered that at least 14 miners had died and that the local officials attempted to avoid a provincial-level investigation of the incident, which would be triggered by a higher number of reported deaths.¹³⁶

The Commission monitored several deadly fires and coal mine accidents in China this past year, including the following:

- **Fires.** A November 2022 fire at a textile workshop located in an industrial district in Anyang municipality, Henan province, caused the death of 38 people, most of whom were described as elderly women, making it the worst workplace fire in China in a decade, according to China Labour Bulletin (CLB).¹³⁷ A spark from the unlicensed use of a welding machine reportedly ignited flammable cotton wool floating in the air of the first floor of a two-story building, with the textile workshop on the second floor.¹³⁸ Experts quoted in the Party's English-language outlet Global Times emphasized that businesses should prioritize emergency escape plans and awareness.¹³⁹ At a May 2023 press conference, an MEM official confirmed that a welding machine was the source of the fire.¹⁴⁰ At the same MEM press conference, the official indicated that illegal welding had caused fatal fires¹⁴¹ at a storage facility in Cangzhou municipality, Hebei, in March 2023, that killed 11 people,¹⁴² and at a factory in Wuyi county, Jinhua municipality, Zhejiang province, in April 2023, that had caused the deaths of 11 people.¹⁴³ A fire at a private hospital in Beijing municipality in April 2023 killed 29 elderly patients and staff, and injured 39, and reportedly was the deadliest fire in two decades in Beijing.¹⁴⁴ At a June 2023 press conference, the po-

litical commissar (*zhengwei*) of the National Fire and Rescue Administration¹⁴⁵ reported that many of the deadly fires that took place in the past year were linked to illegal electric welding and construction, and safety oversight failures of leased workshop spaces.¹⁴⁶

• **Coal mine accidents.** The number of coal mine accidents in China reportedly has nearly doubled, with 168 accidents in 2022 compared to 91 accidents in 2021, according to official data from the National Mine Safety Administration (NMSA).¹⁴⁷ NMSA also reported 245 deaths in 2022—the highest number in six years.¹⁴⁸ The increase in coal mine-related deaths is concurrent with the PRC government’s expansion of coal mining in China in 2022, estimated to have increased by the equivalent of two new coal mines each week in 2022.¹⁴⁹ Reported accidents included a mine collapse in Gansu province in July 2022, which resulted in the death of 10 and 7 injured;¹⁵⁰ an open-pit mine collapse in the Inner Mongolia Autonomous Region in February 2023, which resulted in 53 reported dead or missing;¹⁵¹ and a landslide at a mine near Leshan municipality, Sichuan province, in June 2023, which reportedly killed 19.¹⁵² Other coal mine accidents with reported deaths this past year took place in Shanxi province¹⁵³ and Guizhou province.¹⁵⁴ CLB observed that the PRC government’s response to coal mine disasters is reactive, following “a familiar pattern in China of a repeating cycle of serious workplace accidents, dramatic rescues, and investigations that ultimately fail to prevent the next accident.”¹⁵⁵

Notes to Chapter 11—Worker Rights

¹Dake Kang, “Ignoring Experts, China’s Sudden Zero-COVID Exit Cost Lives,” *Associated Press*, March 24, 2023; Yanzhong Huang, “China’s Hidden COVID Catastrophe,” *Foreign Affairs*, February 16, 2023.

²U.N. Committee on Economic, Social and Cultural Rights, Concluding Observations on the Third Periodic Report of China, Including Hong Kong SAR, China, and Macao SAR, China, adopted by the Committee at its 30th Meeting (March 3, 2023), E/C.12/CHN/CO/3, March 22, 2023, paras. 82–83; Dake Kang, “Ignoring Experts, China’s Sudden Zero-COVID Exit Cost Lives,” *Associated Press*, March 24, 2023; Yanzhong Huang, “China’s Hidden COVID Catastrophe,” *Foreign Affairs*, February 16, 2023.

³Minxin Pei, “The Sudden End of Zero-COVID: An Investigation,” *China Leadership Monitor* 75 (Spring 2023), March 1, 2023.

⁴Zuo Yue, “Why Were the White Paper Protests Comprised of Three Movements? Understanding the Revolutionary Features and Limitations of the Anti-Lockdown Protest Wave,” *Matters*, January 3, 2023, translated and reprinted in *Chuang* (blog), January 20, 2023; Anasua Bhattacharya and Tapas Ray, “Precarious Work, Job Stress, and Health-related Quality of Life,” *NIOSH Science Blog*, Centers for Disease Control and Prevention, August 9, 2022; Chris Kingchi Chan, Eric Florence, and Jack Qiu, “Editorial—Precarity, Platforms, and Agency: The Multiplication of Chinese Labour,” *China Perspectives* 2021, no. 1.

⁵Freedom House, “China Dissent Monitor 2022,” Issue 2 (October–December 2022), February 14, 2023.

⁶Freedom House, “China Dissent Monitor 2023,” Issue 3 (January–March 2023), May 31, 2023.

⁷Daisuke Wakabayashi, “China’s Economy Hits a Slump as COVID Policy Takes a Toll,” *New York Times*, July 15, 2022.

⁸Robin Wigglesworth, “The Chinese Youth Unemployment Phenomenon,” *Financial Times*, May 24, 2023. See also “China Has a Youth Unemployment Problem; Guangdong Province Spearheads a Plan to Send 300,000 Youth to the Countryside by the End of 2025,” *China Change*, April 7, 2023.

⁹Tracy Qu and Iris Deng, “China’s Big Tech Not Yet Done with Lay-offs as 2022 Nears Its End,” *South China Morning Post*, December 8, 2022.

¹⁰Kevin Lin, “Dwindling Economic Opportunities for China’s Youth Fuels Discontent,” *News Lens*, December 9, 2022.

¹¹See, e.g., Li Jianan, “Waimai qishou shenye songcan tuzhong cudao songyi, pingtai reng dui qi liang bi dai song dingdan kou kuan” [Food delivery man collapsed while making a late-night delivery and was sent to the hospital, but the platform still deducted money from his two pending orders], *Paper*, April 15, 2023; “Delivery Workers, Trapped in the System,” *Renwu*, September 8, 2020, translated and reprinted in *Chuang* (blog), November 12, 2020.

¹²Li Lei, “Revised Labor Rules Sought as Gig Work Rises,” *China Daily*, April 4, 2023; China Labour Bulletin, “The Platform Economy,” April 21, 2023.

¹³Lo Hoi-ying, “China Population: Re-employment of Elderly an ‘Urgent, Realistic Problem to Be Solved,’” *South China Morning Post*, May 30, 2023.

¹⁴International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force January 3, 1976; United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Economic, Social and Cultural Rights, accessed June 8, 2023. China signed and ratified the ICESCR on October 27, 1997, and March 27, 2001, respectively. U.N. Committee on Economic, Social and Cultural Rights, Seventy-third Session, Summary Record of the 5th Meeting (February 15, 2023), E/C.12/2023/SR.5, February 23, 2023; U.N. Committee on Economic, Social and Cultural Rights, Seventy-third Session, Summary Record of the 7th Meeting (February 16, 2023), E/C.12/2023/SR.7, February 23, 2023.

¹⁵International Covenant on Economic, Social and Cultural Rights, adopted by U.N. General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force January 3, 1976, arts. 2(2), 3–9, 10(2–3); U.N. Economic and Social Council, “The Right to Work, General Comment No. 18, Article 6 of the International Covenant on Economic, Social and Cultural Rights,” adopted on November 24, 2005, E/C.12/GC/186, February 2006.

¹⁶U.N. Committee on Economic, Social, and Cultural Rights, General Comment No. 18, Article 6 of the International Covenant on Economic, Social and Cultural Rights: The Right to Work, adopted on November 24, 2005, E/C.12/GC/186, February 2006, para. 1.

¹⁷International Service for Human Rights et al., “UN Committee Lambasts China for Trampling Economic, Social and Cultural Rights at Home and Abroad,” March 7, 2023.

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