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Respecting the rights of a nation

BEIJING'S hands were seen at work, or many believed so, when the Hong Kong government decided this week to freeze three new labour laws. The International Confederation of Free Trade Unions (ICFTU), which claims to represent workers in the so-called "free world", has accused the so-called China-sponsored Hong Kong government of "trashing workers' rights by rolling back a set of laws protecting trade unions". The ICFTU said with the decision, China's pledge to allow the former British colony to keep its capitalist system is now in doubt.

But that's rather typical of the ICFTU, it must be noted. Malaysia has had some brushes with the ICFTU, some beneficial while others not so. When the Malaysian Government lifted a ban on unionisation in the electronics sector some 10 years ago, for example, the federation was unhappy with Malaysia's decision to limit union freedom to in-house unions. No amount of reasoning or justification was good enough; the ICFTU demanded that the Malaysian Government accord full freedom to the electronic workers to decide between national and in-house unions. The Government's idea of national interest was of no significance to the world trade union leaders heading the ICFTU then.

That the ICFTU has acted in Hong Kong's case, and even in Malaysia's case, with good intentions is not being questioned. The manner in which it has done so in both cases give rise to doubts, though. It appears that in the 10 years that separated the two cases, the ICFTU's approach has changed little; it is as confrontational as ever. If the ICFTU leaders hoped to offend the Hong Kong legislators, they can almost assure themselves that they have succeeded. But they will not achieve more than that if they continue with their condescending approach, just as they did not succeed in changing Malaysia's position on rejecting attempts to establish a national union for electronics workers.

The ICFTU needs to realise that most countries in this region do not welcome confrontation and intervention. Asian governments are not closed to views and advice from its workers, but there are better ways - more diplomatic ones - to approach issues that affect national policies. In Malaysia, for example, labour policies and programmes are discussed at the National Labour Advisory Council before the Human Resource Minister brings up any proposal further. MTUC leaders, who are affiliated to the ICFTU, are also members of the council. Trade union leaders in Malaysia also sit on the Malaysian Business Council, which is chaired by Prime Minister Datuk Seri Dr Mahathir Mohamad, and they have also been called to participate in trade delegations abroad under the Malaysia Incorporated concept.

In Malaysia, as well as in many Asian countries, the freedom of workers is not limited but workers themselves value freedom with responsibility. The freeze by Hong Kong on the labour laws, according to Hong Kong legislature president Rita Fan, is to allow the government more time to examine carefully whether these laws could be implemented and the difficulty in implementing them. The laws suspended on Wednesday allowed not only collective bargaining but the use of union funds for political activities, which falls under the remit of freedom of association.

Ideally, every country that is a member of the International Labour Organisation (ILO) should ratify all the conventions that the world body have passed since 1919. But that is not the case. Malaysia, for example,

ratified only about a dozen of those conventions but so did the US and many other developed countries. At the end of the day, each country should ratify a convention when it is ready to do so. Until then, the governments of these countries should ensure that efforts are not spared to provide workers the best protection and benefits. Others may not have faith in governments in some parts of the world, but that is not a reason to start condemning their actions and accusing them of violating rights deemed as internationally-recognised because they were set by some countries in another part of the world.

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