



EU-CHINA CIVIL SOCIETY DIALOGUE ON INFORMAL WORK AND MIGRATION | BONN, GERMANY

12-14 November 2011



Exploitation here and there: Intense exchange and dialogue of South Chinese and European Academics and CSOs in Bonn on labour

Key success factors of EU-China Civil Society Dialogue on informal work and migration, organized by the German Asia Foundation with support by the Institute for Civil Society (Guangzhou), were:

59 participants from Chinese and European universities, CSOs, governments and media joined the dialogue forum in Bonn in November 2011.

The dialogue focused on three main thematic blocks: The role of migration for the changes on the employment market in Europe and China, national and international law adjustments and the role of NGOs and unions active in the fields of informal or unregulated, non-documented work, floor wage and dispatch labor system.

Key note speakers Alexandra Wagner (Research Center for International Labour Market) and Huang Yan (Political Sciences, South China Normal University)

introduced in the topics, definitions, and historical processes in Europe and China.

The European speaker and participants came from seven different European countries and were activists with more than 30 years of experiences in being involved in social movements, international law specialists and many famous China experts from Europe like Jean-Philippe Béja and others.

Like in dialogue two, South Chinese participants dominated – we had academics from Guangzhou as well as activists from Hongkong. This mixture guaranteed deep and intense discussions on the commodification and expropriation of labor in China as well as in Europe.

After the closure of the workshop Chinese participants had the chance to visit German institutions and exchange information on their specific interests.

Mobile journalist of the student association NUTS China, University of Nottingham Ningbo produced a video report about European experiences with civil society engagement in China

Two follow-up projects were identified which will provide instruments to inform thoroughly on working conditions by testing CSR declared supplier and retailers and establish a training platform on labour issues.

For more information please visit <http://www.eu-china.net/english/participatory-public-policy/> and <http://vimeo.com/andreasfulda/videos>

The Fourth EU-China Civil society Dialogue on Child Welfare and Social Service Provision for Vulnerable Groups - with a strong focus on the issue of Left-behind children - will be held in Ningbo from 20 to 22 February 2012.



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A project implemented by the University of Nottingham and its consortium members

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Please visit the *EU-China Civil Society Dialogue Program website* on www.eu-china.net/english/participatory-public-policy to access all dialogue materials

The screenshot shows the website interface for the EU-CHINA CIVIL SOCIETY FORUM. At the top, there is a navigation bar with the forum's logo and several topic-based icons: POLITICS & ECONOMY, LABOUR, HUMAN RIGHTS, ENVIRONMENT, CIVIL SOCIETY, CHINA & THE SOUTH, and PARTICIPATORY PUBLIC POLICY. Below the navigation bar is a search bar with the text "Search term" and a "Go" button, along with a link to "Advanced Search".

The main content area is divided into two columns. The left column, titled "QUICKLINKS", contains a list of menu items: About Us, Own Publications, Own Events, Newsletter, News, Resources, Events, Addresses & Links, and Contact. Below this list are social media sharing options for "Share this page", "Follow us on Twitter", and a blog link "Blog 'Voices from China' (German)".

The right column, titled "RESOURCE", displays a list of publications and documents. The first item is "Asienstiftung / German Asia Foundation (2012)" with the title "EU-China Civil Society Dialogue on 'Informal Work and Migration' - A Conference Documentation". A brief description follows: "From 12-14 November 60 participants from China and Europe discussed the issue 'Informal Work and Migration' and related topics in Bonn (Germany). It was the third workshop in the framework of the EU-funded project 'EU-China Civil Society Dialogue on Participatory Public Policy'. Here you can find the agenda, a reader and most of the conference-presentations. Further information will be made available soon." Below this are links for "Program und Sprecher (English and Chinese)" and "Reader (English)".

Subsequent items in the list include:

- Alexandra Wagner (Research Center for International Labour Markets, Berlin): "The role of Atypical Work and Migration for Changes in the European Labour Market (in English only)"
- Huang Yan (South China Normal University, Guangzhou): "Multinational Corporations, Global Civil Society and Chinese Labour: Worker's Solidarity in China in the era of Globalization (in Chinese)". A link is provided to "Huang Yan et al: Multinational corporations, global civil society and Chinese labour: Workers' solidarity in China in the era of globalization (in English)".
- Yaraslau Kryvoi (Senior Lecturer in Law, University of West London): "What Kind of Labour Policies do we need - Unions, Policies and Poorly Regulated Work (in English only)"
- Sri Wulandari (Asia Monitor Research Center, Hongkong): "New Ways of Organizing Informal Workers in Urban and Rural Areas: Case Studies of Indonesia, Cambodia and Philippines (in English only)"
- Wan Xiangong (Sun Yatsen University, Sociology Department, Guangzhou): "Occupation of Rural Migrant Workers in the Informal Sector and its Effects - A Case Study (in English)". Links are provided to "Comparison between Migrant Workers in Pearl River Delta and Yangtze River Delta (in English)" and "Migrant Workers in the Course of Modernization (in English and in Chinese)".
- Wei Zusong (Development Research Center of Guangdong Province): "Change of Social Structure: The Case of Left Behind Children (in Chinese only)"
- Bettina Gransow (Institute for Civil Society Guangzhou/Free University of Berlin): "Migration Policies, Informal Work and the Role of Labour Migrant Organisations in China (in English only)"
- Charlie Clutterbuck (Environmental Practice at Work, London): "Plantations with Migrant Workers and the Farm Workers Union in the UK (in english only)"
- Kirsten Huckenbeck (Express, Frankfurt): "Workers' Rights for Undocumented Workers - The Role of German Unions and the Experiences in Ver.di (in English only)"
- Fe Jusay (Respect Network Europe, Amsterdam): "Towards a Strong Human Rights-based ILO Convention 189 for all Domestic Workers! From Historic Milestones to Immediate Ratification (in English only)"
- Bettina Musiolek (Entwicklungspolitisches Netzwerk Sachsen e.V., Dresden): "The Floor Wage Campaign in Asia and Europe (in English only)". A link is provided to "The Asia Floor Wage Campaign - Decent Income for Garment Workers in Asia".

At the bottom of the resource list, there is a "Keywords:" section with the following details:

- Resource type: Academic essay, Lecture, Policy paper
- Issue: Civil society, Corporate accountability, Economy, EU-China CSDialogue, Labour, Politics, Social policy
- Region: China and Asia, Europe
- Language: Chinese, English
- Organisation type: Academia, Civil society, EU-China CSDialogue, Trade union

Industrialized and newly industrialized countries have the same rules for exploitation

By Dr Nora Sausmikat

After listening to many lectures and discussing on various topics I will try to sum up the different experiences and conclusions drawn after three days of intense debate.

When analyzing the situation in China and Europe, we learned about very similar patterns of exploitation for example the rise of dispatch/agency workers (alone 60 million in state owned enterprises in China, in 22 countries of Europe estimated for 2007 around 2-3 Mio.), the expropriation of labour, the rise of subcontracting systems, women migrants becoming the core group for engaging in informal work and the missing of legal frameworks and unclear definitions. In Europe, governments will continue to foster migration from the Eastern parts of Europe to the Western parts because of labour shortage and demographic change – but low wage

Concerning the necessary strategies fighting de-regulation and strengthening self-organization as well as looking for support from other stakeholders became the core issues of our discussions. When discussing about measures to enhance the living conditions of migrant workers and stop exploitation there were several examples and concepts put on the table:

An agreement between European and Chinese participants was reached on the need to foster citizenship – *shimin hua* - among urban (migrant) workers coming from different parts of Europe or China. Also, the term “migrant worker” should be substituted by “workers” in order to combat the criminalization of migrants and respect their professional work.



The need for regulation especially for informal undocumented work was put forward. However, we learned that laws are not enough to change the situation – because in China as well as in Europe there are too many loopholes and possibilities to ignore the rules and sometimes migrants depend on informal settings to make a living. It was highlighted that private actors like multinational companies and supply industries are even more powerful than national governments because the implementation of laws and the protection of worker’s rights seem to depend on NGOs and the pro-active media, not on the power of politicians or governments.

work will still mainly be unregulated, exploitative and undocumented. Germany is becoming increasingly a low wage country: 22% of the wages are already earned in the low wage sector. The European Confederation of Private Employment Agencies propagates agency work as one of the big drivers for economic growth – more than 50 percent of the companies in Germany should already use them which should harvest 19 percent of their growth. In China, more than 260 million people are currently migrant workers (2010), and as demonstrated by Prof. Gransow the correlation between formal and temporary work is 30 to 70% of the employed. On the other hand migrant workers increasingly become self-employed workers – in China as well as in Europe.

Agreement was reached on the need to stop the global trend of the race to the bottom and the pressure for cheap labour – which should also be seen in the context of globalization.

NGOs should fulfill independent watch dog function to monitor rules and regulations. Other tasks could be to offer legal advice for the undocumented workers or to pro-actively engage in ILO meetings. Nevertheless, the vulnerable situation of the NGOs and labour organisations themselves as well as the bad funding situation and the competition between big unions and NGOs seem to weaken the power of NGOs.

25 years of activism in Europe resulted in numerous NGO associations like f.e. “Ethical Trading Initiative” (ETI) and the Clean Cloth Campaign (CCC) which see one of their tasks in critically monitoring the implementation of codes of conducts or CSRs labour practice in a credible way. The CCC concept of “living-wage” was put forward in order to reconnect labour as an essential source to cover the basic needs of life. This concept is also discussed for the Asia Floor Wage campaign – as for the working conditions in Asia the legal minimum

wages are not only very often ignored for many branches but do not correspond to the real living costs.

Alliances are also the key term for getting organized in China: Collective bargaining was highlighted as the only possible strategy to negotiate with companies and which describe a win-win situation benefiting all stakeholders (government, companies, workers).

For becoming more powerful NGOs therefore need to look for alliances if they want to influence policies and foster change – ETI or CCC are good examples. For Europe, it became clear that the legal recognition of undocumented workers like domestic workers is rejected by most EU member countries. The inclusion of the concerned into policy debates, the importance of self-organisation and the building of alliances were identified as the three core issues for organizing. For Europe, the collaborations of

foreign donors makes these organizations very vulnerable.

Another ally came into play when discussing on future visions: The universities as one force which perhaps could jointly foster citizenship in collaboration with NGOs.

Different from the other civil society dialogues we had so far in this project the discussion differed in dealing with the role of the state. The topic of strengthening workers rights – and especially migrant workers and undocumented workers – did not put forward the role of the state as such in pushing for reforms but very much focused on other stakeholders: the role of the national trade unions, labour organizations, NGOs, academics and universities. It seems that the main contradictions were identified between unions and NGOs and not so much between the state/ the government and NGOs.



The very different situation of workers representation and labour union systems in China and Europe finally culminated also in the question of how European and Chinese NGOs can work together to improve the situation. What became clear was that the question of legitimacy of unions which are not elected and the alliance between unions, enterprises and the state is very central for Chinese workers. Also, in Europe we have to differ between different section unions. These criteria determine in the end which strategy could be used to foster workers rights.

NGOs with unions are also not an easy task, but unions are per se much more democratically legitimated than in China. The ILO institution and the ratification UN conventions are possible stepping-stones for NGO alliances – nevertheless, European NGO alliances for decent work need to become much more coherent and push for more participation in global consultation networks. For China, it became clear that alliances between NGOs and the official national trade union (ACFTU) will be also impossible for the future – but NGOs could be perhaps tolerated as friendly partners. It was put forward by Chinese and European activist that there is a need to “educate” or inform the unions on the massive growth of informal work and to push forward for the election of unions in the factories. The fundamental problem for Chinese workers NGOs still is the lack of Chinese donors willing to support these kind of activities – the dependency on

The developed ideas for possibility of joint actions between European and Chinese were still numerous. Despite the different political and institutional settings activists from both regions asked for a common starting point: The role of Europe in influencing the situation in China and vice versa.

PD Dr. Nora Sausmikat is director of the China programme at the German Asia Foundation.

The German Asia Foundation (GAF) hosts the EU-China Civil Society Forum website (<http://www.eu-china.net>) and regularly reports on the proceedings of the EU-China Civil Society Dialogue Program on Participatory Public Policy (<http://www.eu-china.net/english/participatory-public-policy/>).

Reflections on the dialogue in Bonn

By Dr Jean-Philippe Béja

This conference was very interesting because participants' status were very varied, academics, NGOs (Chinese and European), and even government officials. It is interesting to see that a consensus emerged on the following points:

The *hukou* represents an obstacle to the generalization of formal work, and allows unequal treatment between various categories of workers. Migrant workers (the term was justly criticized) should have equal rights, and to achieve this goal, the hukou should be done away with, or deeply reformed.

In order to protect the rights of the workers, it is necessary to train them to practise collective bargaining. The government and the entrepreneurs should be convinced to accept it. There were interesting discussions on the concrete way to develop collective bargaining.

Civil society organisations have an important role to play in defense of workers' interests. They shouldn't be seen as hostile by the government.

All the participants took an active role in the debates: Europeans and Chinese, NGO representatives and academics discussed freely and tried to define concrete actions in order to achieve the objectives which had been defined.

It was a very good thing that, for the first time, China Labour Bulletin (CLB) was present, as it could expose its experience in training workers for collective bargaining. Globalization Monitor could also present their experiences in defending workers' rights. It is very important to have Hong Kong NGOs participate in this dialogue, because they can give a clear and objective picture of their work, and of the problems they encounter.

Recommendation for future dialogues

However, in the next forums, one should endeavor to invite representatives of Mainland NGOs, especially those created by the migrant themselves, and also those who provide legal advice and all kinds of help.

It is regrettable that only Guangdong government officials and academics took part in the forum. It would be important to invite NGOs, academics and officials from other regions such as the Yangzi delta, Shandong, Dalian, Shanghai. The differences between regions in the treatment of migrant workers, in attitudes towards NGOs could thereby be presented.

Jean-Philippe Béja is Senior Research Fellow at CNRS/CERI-Sciences-Po in Paris, France.



Prospects for Chinese Labour NGOs

By Dr Huang Yanchu | Translation into English by Dr Andreas Fulda

Labour NGOs have concentrated in the Pearl River Region in Guangdong province due to this area's special industrial environment. With the quick development of labour NGOs the issue of Chinese labour problems has become a transnational problem. By engaging in transnational advocacy NGOs have spread news about the real situation of Chinese labour rights to all corners of the world.

Background

The emergence and development of labour migrant organisations illustrates that the labour protection movement is becoming more institutionalised. This development can not be separated from the support of transnational networks. Two factors explain this phenomenon: First of all, labour migration became a new issue in the wake of the reform after 1978.

Since its formation as a group labour migrants in the Pearl River Delta region never had an institutionalised organisation which could represent them. Secondly, despite China's staggering economic growth, political and democratic reform has been lacking behind. The so-called "global associational revolution" has been heavily controlled, leading to a situation

where the state's political governance is based on the doctrine of integration. In the field of labour rights protection, the state is still aiming to continue to play a paternalistic role. At the same time, state corporatism seeks to continuously strengthen the role of labour unions, chambers of commerce, party committees, as well as China Youth League, thereby ensuring that the labour rights of workers are being dealt with within the system. Whenever labour conflicts happen these state-approved organisations can take swift action.

Labour migrant organisations in the Pearl River Delta region play an important role in raising awareness for labour rights, enhance the mobilisation capacity of labour organisations and strengthen the ability of workers to adapt to urban life. From an initial spark in recent years labour organisations have developed quite rapidly. They have developed their own organisational

skills while expanding their activity radius, using diverse organisational methods and making good use of more and more resources and projects.

The gradual trend towards institutionalisation of labour organisations in the Pearl River Delta Region marks a significant progress towards greater labour protection. We can use the western social movement theory of "resource mobilisation" which emphasizes the mobilisation of "organisational capacity" and "organisational ingredients". The mobilisation capacities of these more organised emerging labour organisations are superior to dispersed and hidden organisations such as triads or clan associations; they are more efficient and have less detrimental impacts. Their relationship with the government is also more harmonious. In a sense they can be seen as the government's good assistant. By

adopting an understanding attitude towards labour organisations the government can give these organisations more space. This stance is significant since the government thereby can help labour organisations increase their autonomy and also prevent them from developing into political organisations. Should politicised labour movements emerge in China this could deal a fatal blow to those existing labour organisations. But if labour NGOs always face interference in terms of their sources, activity

contents, and funding this may open up an opportunity for a politicised labour movement. This is something the government is deeply concerned about.

The funding resources of labour organisations in the Pearl River Delta region show very clearly that at least during the very initial stage a lot of domestic labour organisations would not have been able to sustain themselves without transnational network funding support and without the transnational networks enlightening them about work concepts. Almost every labour organisation is receiving external support to implement their projects. The history of transnational networks is rather complicated. These networks provide material support which ensures that labour organisations do not suffer from the interference of other forces. They also provide labour organisations with very important values.



Transnational networks have been promoting a learning process within China's human rights movement. This exogenous learning process occurs as a result of external factors and has a dramatic impact on the policy process, leading to fundamental changes in the thinking about policies. Regardless of whether such learning occurs on the implementation level or political level, transnational networks have a significant impact on the Chinese government.

At the same time the activities of transnational networks have also come under closer scrutiny. In comparison to environmental or HIV/AIDS organisations labour organisations from the Pearl River Delta region often find that due to limited channels and due to the unwillingness of some transnational networks to support sensitive human rights or labour rights projects they find it harder to apply for project funding. Labour organisations with big membership find it almost impossible to rely on foreign support. This reflects that in Chinese society there is a lack of public spirit and a lack of charitable giving, acting as a wake-up call for these

Policy recommendations

First of all, on the policy level the government should relax its control over the registration of labour migrant organisations. In particular, the supervisory unit system should be relaxed, thereby providing more space for labour migrant organisations to grow and prosper. With the growth of labour migrant organisations their services can be expanded, thereby enabling more labour migrants to receive services. By fostering competition between labour migrant organisations they will continuously strive to overcome bureaucratism and aim to provide new service projects while enhancing the quality of their services.

Secondly, the government should expand training for labour migrant organisations. Most co-workers in labour migrant organisations are workers. On the one hand this allows them to provide services which are needed by labour migrants. Yet on the other hand their professional qualifications and the organisational capacities also impact the growth of the organisation.

The government should use more resources to support such grassroots endeavors and thereby enhance their internal capacities and service provision.

Finally, the government can publicly procure the services of labour organisations and provide funding support. In a sense the development of labour migrant organisations is indicative of the shortage of government services.

The government can use the project model to provide support to labour migrant organisations. This will allow the latter with the peace of mind to provide better services to labour migrants since they no longer need to constantly worry about funding and do not need to accept the influences of foreign organisations. From the labour migrants perspective they can receive services for free which relieves them seeking support from black-hearted lawyers. Labour migrant organisations can become a positive force in supplementing the government's public management.

Associate Professor Dr Huang Yanchu teaches social policy and labour politics at the South China Normal University in Guangzhou, PR China.

Dr Andreas Fulda manages the EU-China Civil Society Dialogue Program on behalf of the China Policy Institute, School of Contemporary Chinese Studies, University of Nottingham, UK.



labour organisations. To rely on one funding stream is not only detrimental to the development of an organisation but can also have other detrimental effects. While short-term funding can help cover up shortages of funding it can also effect the independence of the organisation. In order to attract project funding, some organisations have to meet the requirements of funders. It is quite obvious that some foreign networks link their funding to political objectives.

Chinese labour organisations need to be quite careful when trying to do something since the government is only providing very limited space. There are signs of an increasing convergence in activity fields and project design among Pearl River Delta labour organisations influenced by transnational networks. Some service projects, implementation models and funding sources are very similar. A few organisations have been searching for a nativist approach which is also a welcome effort.



The European speaker and participants came from seven different European countries and were activists with more than 30 years of experiences in being involved in social movements, international law specialists and many famous China experts from Europe like Jean-Philippe Béja and others. Chinese participants appreciated the fact that many European participants spoke fluent Chinese.



How to build up a more mature and vibrant Chinese civil society

By Ms Elaine Sio-ieng Hui

The EU-China Civil Society Dialogue on Informal Work and Migration (thereafter called Dialogue) was very meaningful and fruitful. With many interesting sharing, constructive discussions and dynamic interactions among the Chinese and European participants, its overarching aim of building a mutual understanding and deepening knowledge about each other has been successfully achieved.

What impressed me most with the Dialogue was the great enthusiasm of participants, who were all fully engaged in discussions. Not only the organizers, but also the participants have shown serious concern over the situation of internal migrant workers in China. The household registration system (*hukou*) that has inhibited migrant workers from enjoying equal social rights as their urban counterparts, the underdeveloped social insurance system, low wages, unprotected labour rights to collective

Besides the dynamic discussions, the Dialogue was also marked by a strong practical and policy orientation. Every participant has shown ample readiness to take actions to improve the migrant workers' situation.

bargaining and left-behind children have been highlighted in the Dialogue as some critical issues that are facing the migrant workers now. To remove the social obstacles for migrant workers' full integration into the urban life, it has been suggested by the participants that it is imperative for the Chinese government to carry out social welfare reform that can address the urgent housing, medical and education concern of migrant workers, to institutionalize workers' rights to collective bargaining to ensure a decent level of wages, to pay greater policy attention to the left-behind children so that a wholesome development

will no longer be a luxury for them.

Besides the dynamic discussions, the Dialogue was also marked by a strong practical and policy orientation. Every participant has shown ample readiness to take actions to improve the migrant workers' situation. After three days meetings, some creative, solution-oriented and insightful ideas on how to build up a more mature and vibrant Chinese civil society, wherein migrant workers' social rights will be respected, have emerged. For instance, a group of participants suggested to provide training to workers on collective bargaining and other labour rights; another group suggested to start a community project to offer legal service and other consultations to migrant workers.

These are only preliminary ideas and it will take time to concretize and carry out a better action plan. But with a team of committed, knowledgeable and experienced scholars and NGO staff from both China and Europe, it is optimistic that we can together conduct a project that will benefit the migrant workers and the development of civil society in China in the long run.

Elaine Sio-ieng Hui is a PhD candidate at Kassel University, a Research Assistant at the City University of Hong Kong and alumna of the Global Labour University. She is working on the impact of labor law on working class consciousness. She has published "The Containment of Labour Unrest in the Post Socialist China", New Research in GPE Working Paper 2011, University of Kassel.



Unions try to organise migrant farm workers in the UK

By Dr Charlie Clutterbuck

The role of rural migrant workers is the history of food and farming. The major export crops of the world are now grown on other side of world from their origin eg wheat: US/Canada main exporters yet originated in Middle East. Coffee originated in Africa - now Brazil and Vietnam are main exporters. This movement has in large part been due to migrant labour – Tea from China grown in India using Tamil labour, sugar from S E Asia needed the slaves in the Caribbean. Much farming, and the related civilisations would not exist without massive movement of labour – was it always exploitative or is it now ethical?

UK

In the UK, the Farmworkers union is small part of largest union – Unite. It represents 150,000 workers, mainly on small farms. Yet there are another 300,000 migrant rural workers, mainly in the South and East on the massive ‘plantation farms’. It is the same in US – 75% their farm workers are migrants – predominantly Mexican. Plantations were originally thought of as only tropical – e.g. Banana, Palm Oil. Now their labour production system can be found around the world. Farms are small organisations, have permanent workers, are often dangerous and community based. Whereas the plantations have a casual workforce, completely transient and migrant workforce, largely regulated field prisons.



The trouble is that these two systems require different laws, but they then conflict with each other. Plantations owners object to paying migrant workers 1-2p more than national minimum wage, so they bought pressure to get rid of the Agricultural Wages Board. The AWB is a national body – consisting of employers employees and lawyers, and independent people, that regulates the wages of farm workers and food packers, rewarding them for improved skills. By doing away with AWB, plantation owners win, but traditional farmers now have to negotiate with their employees in ways most do not understand.

Demand for migrant workers has increased despite rising levels of unemployment, and increasing virulent voices of opposition in UK. One in six (17%) UK employers have been prevented from recruiting non-EU migrant workers, this year, due to a new cap on non-EU workers. With all the talk about ‘Peak Oil’, ‘Water supplies’, nobody is asking the question “What

happens to UK farming if ¼ million Eastern Europeans choose to stay at home?” Or “What happens when the ¼ of all farmers – who are over 65 years old, die off in the next few years.”

The UK saw the deaths of 20+ Chinese Cockle pickers in Morecambe Bay 2004. What did UK government do as a result? Unite the union had been campaigning for some time to get better control of migrant worker’s conditions, and so promoted a bill in parliament that resulted in the setting up of the Gangmasters Licensing Authority (GLS). This means that all licenses/polices ‘Labour Providers’ must be licensed in order to operate.

Meanwhile back on the traditional farm, geographic isolation makes organisation difficult, with little to do about serious H&S, an historical antagonism between farmers and their workers, and non-existent human relations systems as found in larger workplaces. You may have thought that plantations were often with good HR systems, where unions are recognised, would be better territory for organising. But at one massive facility, when the union recruited 150 members and got their holidays entitlement, they found that 120 had no job to come back to.

EU

The EU has always been better than UK regarding labour laws; their ‘social chapter’, which UK kept out of until the Labour government, guarantees holidays and hours of work. They recently brought into law to bring parity of ‘Agency’ workers with permanent workers. Agency workers are provided to employers via a Labour Provider. But the retailers soon got out of the requirement, by paying the Agency workers a token amount between jobs, so they don’t qualify. Morrison and Tesco call it ‘the Swedish loop hole’. It took 3 years to introduce the law and 3 weeks for them to find the loophole.

While working for retailers developing www.ethicalgrowers.org.uk, it became obvious that the big companies want to be seen as ‘ethical’ and have major departments working under that name. Yet others may call the same practices ‘exploitative.’ There was a combined inspection operation in October 2011 called ‘Safe Haven’ with the GLA, H&S Executive, Gas and Fire Rescue in the Spalding area of Lincolnshire. They landed on a number of plantations and pack-houses and served 8 Prohibition Notices, 44 Improvement Notices and took 2 prosecutions. Decent personal protective clothing was dished out all over, and port-a-loos popped up everywhere. You wonder what the ‘ethical’ auditors had been doing.

Is it possible to assess/decide whether Employment is ‘Exploitative’ and ‘Ethical’? Is it possible to ask a series of questions which provide a set of answers that can be weighted to provide a score. This could be called ‘Ethical Metrics’. This was prosed as a project and has got the go ahead as part of the EU – China Dialogue. Can we make CSR work from below?

Dr Charlie Clutterbuck, Environmental Practice @ Work Ltd
www.epaw.co.uk

The dialogue after the dialogue: key principles for collaboration

By Dr Andreas Fulda

One key characteristic of the EU-China Civil Society Dialogue Program is the combination of theory and practice. During the action planning stage of the dialogues participants from Europe and China are invited to collectively brainstorm about possible follow-up activities after the dialogue which meet the following five criteria:

- (1) Potential for cooperation between European and Chinese NGOs
- (2) Participation of NGOs in public policymaking processes
- (3) Feasibility of implementation
- (4) Degree of innovation &
- (5) Chances for scaling up the small grant projects into larger initiatives.



We have earmarked 10000 Euro for each of the two follow-up to support Sino-European Follow-up Action Teams (FACTS). A designated FACTS Coordinator ensures that the following principles are being adhered to:

Solidarity. Both European and Chinese participants are being consulted in the design process of the initiative

Subsidiarity. Whenever Chinese civil society actors are willing and able to act European civil society should play a supporting role rather than the role of an advocate.

Reciprocity. Cooperation between European and Chinese civil societies should be based on burden and benefit sharing. Cooperation does not mean “I cooperate, you benefit”.

Sustainability. Long-term partnerships between European and Chinese civil societies require the appreciation, trust and friendship among individuals.

The FACTS Coordinators are the first port of call for all participants interested in participating in the follow-ups. The FACTS Coordinators are directly accountable to their host organisation as well as to EU-China Civil Society Dialogue program manager Dr Andreas Fulda (UoN).

In the following I would like to introduce the FACTS Coordinators for the first three EU-China Civil Society Dialogues:

Dialogue 1 on Climate Change and Sustainable Consumption and Production

Mr Patrick Schroeder (CANGO)
Email: patrick@cango.org

Dialogue 2 on Industrial Pollution and Environmental Health as well as Dialogue 3 on Informal Work and Migration

Professor Tang Hao (on behalf of ICS)
Email: datang2005@163.com

Supported by Ms Li Yan (ICS)
Email: liyan.cop@gmail.com

It is the responsibility of the FACTS Coordinators to facilitate the communication among FACTS members. Additionally, the FACTS Coordinators ensure that

- (1) the follow-ups are being implemented in six months
- (2) that EU/FCO accounting rules apply
- (3) the EU's visibility manual is being followed
- (4) and they continuously monitor and evaluate the progress of the follow-ups.

Dr Andreas Fulda manages the EU-China Civil Society Dialogue Program on behalf of the China Policy Institute, School of Contemporary Chinese Studies, University of Nottingham, UK.

The third consortium board meeting was held on 15 November in Bonn, Germany.

Participants from left to right: Christine Ding, Andreas Fulda, Wang Lu, Mark Pixley, Nora Sausmikat, Klaus Fritsche, Li Yan, Karen Lim



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