

Macau 2024 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Macau during the year.

Significant human rights issues included credible reports of serious restrictions on freedom of expression and media freedom, including censorship, and trafficking in persons.

The government took credible steps to identify and punish officials who committed human rights abuses.

Section 1. Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2. Liberty

a. Freedom of the Press

The law provided for freedom of expression, including for members of the press and other media, but the government encroached upon this right.

The government significantly restricted public statements it contended would undermine “social harmony” or that “endangered” national or public interest. Some observers criticized the broad provisions of the amended National Security Law (NSL), noting it could allow for arbitrary law enforcement and potentially result in a chilling effect on media and individual freedoms.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

The special autonomous region (SAR) imposed restrictions on press freedom and urged media to align itself with government positions. There were reports of self-censorship among media organizations and journalists. In June 2023, the Reporters Without Borders East Bureau director criticized the revised NSL’s broad and extraterritorial remit as “increas[ing] the pressure on journalists and further threaten[ing] the residents’ right to information.” Reporters Without Borders also noted “the original regulation was already dangerously open to interpretation, and the expansion of its scope makes it

the perfect tool for the government to intimidate, and possibly detain, the journalists they dislike.”

The Macau Journalists Association published several critiques in recent years on the seriousness of media censorship, noting limits on coverage of prodemocracy activists and organizations, the barring of the use of names in certain reports, and the removal or alteration of reports that did not comply with government directives.

In June, Sunny Au, a prodemocracy former lawmaker, decided to suspend his political column in a local newspaper after 35 years of writing. He cited increased political pressure on newspaper editors in recent years, which led to numerous revisions of his column’s content and sometimes reprints before it could be published. Au viewed his decision as a reflection of the gradual restriction of freedom of speech in the SAR.

In June, two senior journalists anonymously conveyed to online media outlet *All About Macau* that while journalists still enjoyed a certain level of autonomy in determining reporting topics, media organizations typically elected to not publish sensitive pieces. For example, the journalists observed that local media tended to avoid reporting on politically sensitive events, such as past activities commemorating the Tiananmen Square massacre.

b. Worker Rights

Freedom of Association and Collective Bargaining

The Basic Law provided for the right of workers to form and join unions. In April, the Legislative Assembly passed a trade union law scheduled to take effect on March 31, 2025. The new law outlined the framework for the establishment and activities of unions, including their rights and obligations. It did not include the right for workers to bargain collectively or to strike.

The new union law forbade workers in certain professions, such as the security forces, to form unions, to take part in protests, or to strike. Such groups had organizations that provided welfare and other services to members and could speak to the government on behalf of members. Most other public employees and vulnerable groups of workers, including domestic workers and migrant workers, could freely associate and form associations.

There were no reports the government threatened or was violent towards labor leaders. The law stipulated the financial penalties for antiunion discrimination; an employer could be fined for every worker discriminated against. The law did not require reinstatement of workers dismissed for union activity, but employers were subject to fines for each worker dismissed for their involvement in a union.

Workers who believed they were dismissed unlawfully could bring a case to court or lodge a complaint with the Labor Affairs Bureau (LAB) or the Commission against Corruption.

Government and employers did not respect collective bargaining.

Government wielded considerable influence over some of these labor associations and influenced the selection of association officials and interfered in the functioning of workers' organizations. Penalties for violations of the law were not commensurate with those for other similar violations and were rarely applied.

According to a former organizer, the SAR's annual Labor Day march, a long-standing political event focused on labor rights, was not held since 2021 because of pressure from police.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acceptable Work Conditions

Wage and Hour Laws

Labor laws established the general principle of fair wages and mandated compliance with wage agreements. The law stipulated minimum wage rates for employees in all industries, except for domestic helpers and employees

with disabilities; domestic helpers were covered under separate regulations and employees with disabilities were eligible for a subsidy scheme to complement their wages. An organization representing domestic workers raised concerns that the wages earned by domestic helpers were insufficient to meet their living expenses. In January, the Philippine consul general urged local authorities to incorporate nonresident domestic workers into the minimum wage laws, highlighting that over half of the city's domestic workforce consisted of Philippine nationals earning less than the minimum wage enjoyed by local residents.

The SAR did not calculate an official poverty line, but the minimum wage, including for domestic workers, was well above the World Bank's poverty line. The law provided for a 48-hour workweek, an eight-hour workday, paid overtime, annual leave, health care, and maternity care. The law provided for a 24-hour rest period each week. All workers, whether under a term contract or an indefinite contract, were entitled to benefits including specified working hours, weekly time off, statutory holidays, annual leave, and sick leave. The law prohibited excessive overtime but permitted legal overtime (a maximum of eight hours per day and irrespective of workers' consent) in force majeure situations or in response to external shocks, at the discretion of the employer. Overtime and wage laws were part of the labor ordinance, which was part of the civil code; penalties for their violation were exclusively financial and were not commensurate with penalties for similar crimes, such as fraud, which was a criminal violation for which

imprisonment could be ordered. The construction sector had the highest rate of overtime payment arrears or wage garnishments.

All workers, including migrants, had access to the courts in cases in which an employee was unlawfully dismissed, an employer failed to pay compensation, or a worker believed their legitimate interests were violated. If an employer dismissed staff “without just cause,” the employer had to provide economic compensation indexed to an employee’s length of service.

In July, a court declared Macau Asia Satellite Television, a private television station, bankrupt, uncovering significant wage arrears owed to a number of employees, many of whom had not received salaries for six to nine months. Some of the affected former employees raised concerns about legal protections for workers with unpaid wages. They also noted inadequacies of the labor debt fund, which was created in 2016 to offer legal safeguards and financial compensation to employees who did not receive their rightful wages, as well as to the families of individuals who lost their lives due to workplace accidents or occupational illnesses.

The LAB provided assistance and legal advice to workers upon request, and cases of labor-related malpractice were referred to them.

Occupational Safety and Health

The law required that employers provide a safe working environment. The LAB set industry-appropriate occupational safety and health (OSH) standards

and enforced occupational safety and health regulations. Failure to correct infractions could lead to prosecution. Inspectors, and not the worker, were responsible for identifying dangerous working conditions.

The law allowed workers to remove themselves from hazardous conditions without jeopardy to their employment. The most hazardous sector of the SAR's economy was the construction industry. In 2023 the LAB imposed fines of 47,500 Macau patacas (\$6,000) on seven employers judged responsible for accidents that occurred due to discrepancies and irregularities in the work environment. The LAB also fined 26 employers a total of 393,000 patacas (\$49,000) in 2023 for failing to comply with workers' compensation requirements. The LAB enforced OSH laws to ensure safe workplace conditions and standards at construction, commercial, and industrial sites. LAB enforcement officers conducted OSH compliance inspections on a regular basis, as well as unannounced visits to hazardous sites such as docks. Workers could make OSH complaints in person at six different service locations or anonymously by email, telephone, fax, or mail. LAB actively investigated OSH complaints.

Wage, Hour, and OSH Enforcement

The government effectively enforced minimum wage, overtime, and OSH laws. Penalties for violations were not specified in the labor ordinance, other than holding the employer liable, and were therefore not commensurate with those for similar crimes, such as fraud and negligence.

Penalties were regularly applied against violators. The number of labor inspectors was adequate to enforce compliance. Inspectors were authorized to conduct unannounced visits and levy sanctions, especially targeting construction sites where industrial accidents often occurred. Civil rights advocates criticized the minimum wage regime because it did not apply to nonresident domestic workers or persons with disabilities.

LAB encouraged employers to adhere to wage, hour, and OSH regulations through a variety of methods, particularly through close collaboration with casinos, the primary employers in the SAR. Many OSH materials were accessible only in Chinese, which many migrant workers could not comprehend.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibited such practices, and there were no reports government officials employed them.

b. Protection of Children

Child Labor

The law prohibited all the worst forms of child labor. The law prohibited children younger than age 16 from working, although children ages 14 and 15 could work in “exceptional circumstances” if they obtained a health certificate to prove they had the “necessary robust physique to engage in a

professional activity.” The law governing the number of working hours was equally applicable to adults and legally working children, but the law prohibited children from working overtime hours.

The law prohibited children younger than age 16 from certain types of work, including but not limited to domestic work, employment between 9 p.m. and 7 a.m., and employment at places where admission of children was forbidden, such as casinos. The government required employers to assess the nature, extent, and duration of risk exposure at work before recruiting or employing a child. These regulations protected children from physically hazardous work, including exposure to dangerous chemicals, and jobs deemed inappropriate due to the child’s age.

The LAB was responsible for enforcing the law through periodic and targeted inspections and prosecutions but did so inconsistently. LAB operations were adequately resourced, but there were no prosecutions for labor trafficking and the Public Prosecutions Office did not convict any traffickers during the year.

Penalties for noncompliance with minimum wage law and child labor provisions fell under the labor ordinance and were financial; they were not comparable to those for other analogous serious crimes, such as kidnapping. If a child was a victim of forced labor, however, the penalties were commensurate with those for kidnapping. Penalties were regularly applied against violators.

There were no confirmed reports during the year of the worst forms of child labor.

Child Marriage

The minimum legal age of marriage was 16; children ages 16 to 18 who wished to marry could do so with approval from their parents or guardians. There were no reports the government did not enforce the law effectively.

c. Protection to Refugees

The government cooperated with UN High Commissioner for Refugees and other humanitarian organizations regarding the few applicants for refugee or asylum status who arrived in the SAR.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and there was a system for providing protection to refugees. Persons granted refugee status ultimately enjoyed the same rights as other SAR residents.

Pending final decisions on their asylum claims, the government registered asylum seekers and provided protection against their refoulement. There were few applicants for refugee or asylum status and no successful applicants.

Persons with pending applications were eligible to receive government

support, including for basic needs such as housing, medical care, and education for children, but were not allowed to work until their refugee status was granted.

d. Acts of Antisemitism and Antisemitic Incitement

The Jewish population was extremely small. There were no reports of antisemitic incidents.