



AIQING ZHENG

LIBERTÉS ET DROITS FONDAMENTAUX DES TRAVAILLEURS EN CHINE

*Préfaces de Mireille DELMAS-MARTY
et Jean-Maurice VERDIER*

L'Harmattan

Libertés Et Droits Fondamentaux Des Travailleurs En Chine

Aiqing Zheng



Libertés Et Droits Fondamentaux Des Travailleurs En Chine:

Libertés et droits fondamentaux des travailleurs en Chine Ai Qing Zheng, 2007-09-01 Mais si les droits fondamentaux ont été reconnus avec force dans la constitution chinoise leur mise en pratique dans les différentes branches du droit n'est pas chose aisée dans le nouveau contexte de l'économie de marché et de la globalisation économique. Malgré les progrès remarquables obtenus en Chine tant sur le plan économique que sur le plan social la prospérité économique n'a-t-elle pas un coût trop élevé pour le travailleur chinois. Voici une étude complète sur la situation du monde ouvrier dans la Chine d'aujourd'hui.

Les libertés et droits fondamentaux des travailleurs en Chine Ai Qing Zheng, 2006. Malgré toute la portée de la consécration constitutionnelle chinoise des droits fondamentaux la concrétisation et la protection de ces droits dans diverses branches juridiques droit du travail en particulier deviennent fortement problématiques dans le nouveau contexte de l'économie de marché et de la globalisation économique mondiale. Certes il ne faut pas dénier les progrès remarquables obtenus tant sur le plan économique que sur le plan social depuis les deux dernières décennies. Cependant la protection des droits fondamentaux des travailleurs qui sont les sujets des droits et les moteurs de la productivité se heurte de front la logique de l'économie sans compter les contraintes politiques toujours présentes en la matière. Ainsi la confirmation des libertés et droits fondamentaux et la réconciliation de ces droits avec le développement économique méritent d'être abordés tout en faisant référence aux normes internationales notamment celles de l'OIT. La place particulière accordée aux droits fondamentaux en droit français notamment en matière de relations de travail pourrait inspirer la réflexion en la matière en Chine. L'émergence des libertés et droits fondamentaux des travailleurs dans la société chinoise grâce au développement économique est souhaitable ainsi que leur interaction qui est de nature favoriser une économie durable et équilibrée.

Libertés et droits fondamentaux des travailleurs en Chine Ai Qing Zheng, 2004. Malgré toute la portée de la consécration constitutionnelle chinoise des droits fondamentaux la concrétisation et la protection de ces droits dans diverses branches juridiques droit du travail en particulier deviennent fortement problématiques dans le nouveau contexte de l'économie de marché et de la globalisation économique mondiale. Certes il ne faut pas dénier les progrès remarquables obtenus tant sur le plan économique que sur le plan social depuis les deux dernières décennies. Cependant la protection des droits fondamentaux des travailleurs qui sont les sujets des droits et les moteurs de la productivité se heurte de front la logique de l'économie sans compter les contraintes politiques toujours présentes en la matière. Ainsi la confirmation des libertés et droits fondamentaux et la réconciliation de ces droits avec le développement économique méritent d'être abordés tout en faisant référence aux normes internationales notamment celles de l'OIT. La place particulière accordée aux droits fondamentaux en droit français notamment en matière de relations de travail pourrait inspirer la réflexion en la matière en Chine. L'émergence des libertés et droits fondamentaux des travailleurs dans la société chinoise grâce au développement économique est souhaitable ainsi que leur interaction qui est de nature favoriser une économie durable et équilibrée.

e *La protection des travailleurs en Chine* Yafei Liu, 2013 L'économie chinoise a connu une croissance économique importante depuis 30 ans mais celle-ci n'a pas bénéficié aux travailleurs chinois qui supportent toujours des conditions de travail très précaires avec un niveau de protection très insuffisant. Pourquoi les travailleurs chinois ne profitent-ils pas de ce développement économique ? Les causes sont multiples : outre le facteur démographique, la recherche prioritaire des intérêts économiques constitue la raison principale. Pourquoi faut-il améliorer la protection des travailleurs en Chine ? Et par quels moyens cette amélioration peut-elle se produire ? La thèse montre d'une part l'évolution et les mouvements de la classe ouvrière dans l'histoire chinoise en comparant sa situation avant et après 1949 et les raisons historiques et politiques qui ont conduit le gouvernement chinois à négliger la protection des travailleurs bien que ces derniers aient bénéficié d'une place privilégiée dans le système communiste. D'autre part, sont envisagés les moyens politiques et législatifs pour initier l'amélioration de cette protection. Pour cela, une réforme politique serait la solution radicale impliquant une démocratisation à long terme et mettant l'accent sur la protection des droits de l'homme et sur les droits des travailleurs en particulier. Ce qui suppose notamment que soit garantie l'indépendance des syndicats. La protection des travailleurs est donc indissociable de la construction de l'État de Droit.

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Table of Contents Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine

1. Understanding the eBook Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - The Rise of Digital Reading Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Advantages of eBooks Over Traditional Books
2. Identifying Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - User-Friendly Interface
4. Exploring eBook Recommendations from Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Personalized Recommendations
 - Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine User Reviews and Ratings
 - Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine and Bestseller Lists
5. Accessing Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine Free and Paid eBooks
 - Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine Public Domain eBooks
 - Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine eBook Subscription Services
 - Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine Budget-Friendly Options
6. Navigating Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine eBook Formats
 - ePub, PDF, MOBI, and More
 - Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine Compatibility with Devices
 - Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Highlighting and Note-Taking Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Interactive Elements Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine

8. Staying Engaged with Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
9. Balancing eBooks and Physical Books Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Setting Reading Goals Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Fact-Checking eBook Content of Liberteacutes Et Droits Fondamentaux Des Travailleurs En Chine
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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