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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by China Ethnic Minorities' Association for External Exchanges, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2023]

* Issued as received, in the language of submission only.



The Guarantee of Labor Rights for Ethnic Minorities in China

I. Basic Situation of China's Ethnic Groups

China has been a unified multi-ethnic country since ancient times. In the family of the Chinese nation, the Han ethnic group has the largest population, while the other 55 ethnic groups have a relatively small population and are commonly referred to as "ethnic minorities". According to the 2020 National Population Census, the population of ethnic minorities in China is approximately 125 million, accounting for 8.89% of the total population.

China's ethnic groups are spread over the country and live in mixture, while some live in comparatively compact communities. Taking Xinjiang Uyghur Autonomous Region (UAR), China as an example, there are all 56 ethnic groups living there. Among them, there are 14.9322 million ethnic minorities, accounting for 57.76% of the total local population. At the same time, with the continuous socioeconomic development of China, the population mobility of various ethnic groups is becoming increasingly frequent and active due to education, work, business, tourism, etc.

China implements a system of regional ethnic autonomy in areas inhabited by ethnic minorities in relatively concentrated way. The land of ethnic autonomous areas accounts for 64% of the national territory. Among the 55 ethnic minorities, 44 have established autonomous areas, and the proportion of ethnic minorities who implement regional autonomy accounts for over 70% of the total population of ethnic minorities. For example, there are 5 autonomous prefectures, 6 autonomous counties, and 42 ethnic townships in the 14 regions (prefectures, cities) of Xinjiang Uygur Autonomous Region (UAR), China, including Mongolian, Kirgiz, Hui, Kazakh, Xibe, Tajik, and other ethnic autonomous areas.

II. Ensure Equal Rights in Employment for Ethnic Minorities

China regards adhering to ethnic equality, ethnic unity, and the common prosperity and development of all ethnic groups as the basic principles for solving ethnic problems and handling ethnic relations.

China's laws and regulations ensure that workers are not discriminated against based on their ethnicity, and citizens, regardless of ethnicity, enjoy equal employment opportunities in accordance with the law, and provide appropriate privileged policies and measures to ethnic minority areas and workers in accordance with the law.

The Labor Law, Employment Promotion Law and other laws clearly stipulate that, laborers shall not be discriminated against in their employment due to differences in ethnicity, race, gender, or religious beliefs. Laborers shall have the right to equal employment and independent career choices in accordance with the law. Laborers shall not be discriminated against in their employment due to differences in ethnicity, race, gender, or religious beliefs. The state supports the development of the economy in ethnic minority areas and expands employment. Workers of all ethnic groups enjoy equal labor rights. Employers should provide appropriate care to ethnic minority workers in accordance with the law when recruiting personnel. The state has also formulated and introduced a series of support policies to strengthen employment and entrepreneurship services and vocational training, and help ethnic minority workers achieve employment through multiple channels.

At the same time, some provinces, autonomous regions, municipalities directly under the central government, cities with districts, and autonomous prefectures in China have local regulations formulated in accordance with relevant national laws such as the Labor Law, the Employment Promotion Law, and the Trade Union Law, which guarantee that workers have the right to equal employment and independent job selection regardless of ethnicity, the right to participate in and organize trade unions in accordance with the law, and are not subject to discrimination or unreasonable restrictions.

The relevant local regulations formulated by Inner Mongolia, Tibet Autonomous Region (TAR), China, Xinjiang Uygur Autonomous Region (UAR), China and other autonomous regions not only ensure that workers are not discriminated against based on their ethnicity, but also include provisions for employment support for ethnic minority inhabited areas and ethnic minority workers.

III. Ethnic Minorities Enjoy Preferential Policies in Enrollment and Employment

The Chinese government has taken various measures to promote the recruitment and employment of ethnic minorities. Implement more proactive employment measures, guide ethnic minority areas to prioritize employment work in economic and social development, strengthen coordination between employment policies and fiscal, financial, industrial, trade and other policies, actively develop new fields of employment, improve and implement policies that encourage entrepreneurship, and cultivate new growth points for employment. Encourage areas with conditions to develop employment positions suitable for ethnic minority migrant populations based on actual conditions, expand the scope of employment, and promote enterprises, vocational colleges, and social organizations to carry out education and training on vocational skills, laws and regulations, national common language for ethnic minority migrant populations. These policies ensure that ethnic minorities enjoy equal access to public services and effectively guarantee their equal employment rights.

The Chinese government has always attached great importance to the entrepreneurship and employment work of ethnic minorities, actively coordinating the human resources and social security departments, and continuously strengthening the employment skills training services for ethnic minority personnel. At present, human resources and social security departments at all levels in ethnic minority areas have identified a group of qualified education and training institutions with good training quality and good social reputation as designated training institutions for migrant workers through bidding and accreditation. They guide them to carry out job preparation training, various short-term practical technical or vocational training, qualification and certificate training and national language training for ethnic minority migrant workers in accordance with the special needs of the labor market, which have achieved good results. At the same time, the state actively promotes the establishment and improvement of a public service system in developed areas, especially cities, for the influx of ethnic minority migrant workers, and strive to achieve equal access to urban services for ethnic minority migrant populations. This includes encouraging "one-stop" comprehensive service institutions to provide services such as employment guidance, business administration service, national language training, law popularization and etc. as needed, to ensure that ethnic minorities enjoy equal public services and effectively safeguard their equal employment rights.

Case Study: Enterprises Leverage Their Own Advantages to Promote Employment Among Ethnic Minorities

At present, China's urbanization rate has reached 65.2%. With the continuous optimization and upgrading of industrial structure, more and more ethnic minorities are moving from traditional settlements to various parts of the country, leaving agriculture and animal husbandry and entering various industries. According to statistics, the population of ethnic minorities living in urban and scattered areas has exceeded one-third of the total population of ethnic minorities. Therefore, it is very important to do a good job in the employment of ethnic minority populations in urban areas.

Since 2016, an Electric Motor Co., Ltd in Shandong province. has attracted over a thousand ethnic minorities from Xinjiang Uygur Autonomous Region (UAR), China, Hunan and Gansu provinces to work in Shandong through market-oriented operations.

To help ethnic minority employees integrate into local job and life, the company has opened a Xinjiang Uygur Autonomous Region (UAR), China flavor window in the employee restaurant, specifically hiring chefs from Xinjiang Uygur Autonomous Region (UAR), China to cook flavor foods of Xinjiang Uygur Autonomous Region (UAR), China such as beef and mutton, nang (a pancake with sesame), and large plate chicken. Every year, a dedicated person is arranged to visit the families of outstanding and disadvantaged employees in Xinjiang Uygur Autonomous Region (UAR), China. Through communication among the local people of all ethnic groups, the enthusiasm of the local Uyghur people to work and find employment in Shandong is stimulated. During the epidemic, the number of employees in Xinjiang Uygur Autonomous Region (UAR), China of the company not only did not decrease, but also increased year by year.

An Electric Vehicle Co., Ltd. in Jiangsu Province implements the measures of "entering with security" and "returning with support". On the basis of actively absorbing migrant workers from Xinjiang Uygur Autonomous Region (UAR), China, it keeps supporting the former employees, helps them to open electric vehicle stores or beauty salons, clothing stores, etc. in their hometown, so as to ensure that they still have jobs, incomes and security when returning home. The measures further enhance the reputation of the enterprise in ethnic areas and attract more ethnic minority people to work in the enterprise.

Conclusion

China's ethnic theory and policies mainly focus on ethnic equality, ethnic unity, regional ethnic autonomy, and the common prosperity and development of all ethnic groups. The State fully guarantees the equal enjoyment of political, civil, economic, cultural, social and other legitimate rights and interests of all ethnic groups, including labor and employment rights, from the perspectives of theory, institution, law, policy, and implementation.

China Ethnic Minorities Association for External Exchanges is willing to strengthen foreign exchanges, continuously enhance the international community's understanding of China's ethnic affairs, deepen exchanges and mutual learning in ethnic affairs governance, and contribute wisdom and strength to building a community with a shared future for mankind.

China Union of Anthropological and Ethnological Sciences (CUAES), NGO(s) without consultative status, also share the views expressed in this statement.