

The Pain of a Nation: The Invisibility of Uyghurs in China Proper

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Introduction

On 5 July 2009, Uyghurs in the city of Urumchi, the capital of Xinjiang Uyghur Autonomous Region (XUAR) of China, participated in an initially peaceful protest against the government's inaction in response to the killing of at least two Uyghur migrant workers by Han Chinese workers at a toy factory in the city of Shaoguan in the southern province of Guangdong.² The demonstrators were reported to have initially numbered at least one thousand,³ mostly young men and women, and they demanded an investigation into the Shaoguan killings.⁴ By the evening of 5 July 2009, the protest had turned violent, causing the deaths of 197 people and injuries to more than 1,600 people.⁵

In response to this event, the Chinese government insisted that the protests were orchestrated by a small number of separatists inside XUAR, in league with international agitators, such as Rebiya Kadeer (the President of the US-based Uyghur American Association),⁶ but they failed to provide any credible evidence in support of these claims. Independent human rights groups such as Human Rights Watch stated that the root causes for the protest lay in the longstanding discriminatory policies of the Chinese government towards Uyghur minorities. James Millward has also suggested that the protest was a result of Uyghur discontent towards the policies of the Chinese government.⁷

This protest in Urumchi drew the attention of the international community to the long-standing political pressures and human rights abuses suffered by the Uyghurs in China, and particularly the discrimination which they face in many aspects of life. This article focuses on the plight of the Uyghurs living in China Proper.⁸ Whilst many books have been written addressing various themes related to the Uyghurs living in XUAR,⁹ very little attention has been given to those Uyghurs who have migrated to China Proper from XUAR (described here as "Floating Uyghurs") and their daily lives.¹⁰ To the author's knowledge, there has previously only been one article published on this topic by Steve Hess in the *Central Asian Survey*.¹¹

This article references cases and examples obtained through interviews with members of the Floating Uyghur communities which were carried out by a group of researchers at Beijing AIZHIXING Institute between 2007 and 2009.¹² Beijing AIZHIXING Institute started its Uyghur Health Education and Social Integration project in 2006. The project focused on the Floating Uyghur communities in Beijing, Kunming, Wuhan and Chengdu.¹³

The examples provided in this article of the challenges faced by the Floating Uyghurs highlight the serious levels of racial discrimination which result in this "invisible popu-

lation” experiencing lack of access to basic public services including healthcare and housing. These challenges are referred to here as “the pain of a nation”.

In a speech given during the National City Ethnic Work Forum in September 2008, Professor Ma Rong stated that the number of Uyghurs living in China Proper had increased seven times during the period from 1982 to 2000, reaching a total of 53,771.¹⁴ Even though the exact number of Floating Uyghurs is not currently known, according to Beijing AIZHIXING Institute’s Uyghur project among Floating Uyghurs in urban areas in China Proper, the number has increased further in the past 10 years.

According to a report entitled “The 2010 Report on the Development of China’s Floating Population”, based on the survey by the National Population and Family Planning Commission launched in July 2009, the size of China’s floating population reached 211 million,¹⁵ including minorities. While the Floating Uyghurs make up a very small part of the total migrant population in China Proper, the treatment experienced by the Floating Uyghurs contributes to the social unrest and ethnic conflict between the Floating Uyghurs and the majority Han people as a whole. The widespread HIV/AIDS epidemic among the Floating Uyghurs has also made the situation of this community worse. It is necessary to advocate on behalf of the Floating Uyghurs and bring their situation to the attention of the relevant Chinese government agencies, such as the State Ethnic Affairs Commission, the Ministry of Health and the Ministry of Public Security, which could and should defend the rights of the Floating Uyghurs. The discrimination experienced by the Floating Uyghurs is part of a broader problem, as migrant workers in China generally face many

kinds of discrimination.¹⁶ In the case of the Floating Uyghurs, however, ethnic and racial discrimination has certainly been an added obstacle as the Uyghurs are suspected of wanting to secede from the People’s Republic of China (PRC).¹⁷ The Government of China must be asked to respect the rights of the Floating Uyghurs in accordance with the domestic laws of China and the international human rights treaties which China has signed and ratified.

1. Background

1.1 The Uyghurs

The Uyghurs (sometimes referred to as the Uighurs) originate from the XUAR which lies in the North-West of China, on the border with Central Asia. Covering one-sixth of the country’s total territory, the XUAR is a vast but sparsely populated area with about 19 million inhabitants. Some 8 million of those inhabitants are Turkic-speaking Uyghur Muslims, concentrated in the south of the region around cities such as Kashgar, known to the Chinese as Kashi, which lies 2,500 miles west of Beijing. The Uyghurs (pronounced Wee-gurs) make up about 45% of the XUAR’s population.¹⁸ Uyghur human rights organisations abroad which have been formed by Uyghur dissidents and exiles have called this part of far West China East Turkestan,¹⁹ which refers to the two independent states which were formed during the 20th century – the Turkish-Islamic Republic of Eastern Turkestan of the 1930s²⁰ and the East Turkestan Republic of the 1940s.²¹

1.2 Socio-economic Reasons for Migration to the East

In order to describe fully the situation facing the Floating Uyghurs living in the urban cen-

tres referred to previously, it is necessary to review the process of social changes and economic development which have taken place in China. The economy has been among the most successful aspects of China's development since 1990. The minority populations in China have participated in this economic improvement yet there has been a strong tendency for members of such minority populations to be at the poor end of the widening disparities within China. In an uneven and imbalanced economic growth, areas on the eastern seaboard have advanced far faster than the rest of the country, whilst almost all of the minority populations live in the western part of the country, which includes the poorest provinces and autonomous regions.²² Ethnic minorities, who comprise the majority of the population in many rural areas, have had limited input into the state-driven development model imposed upon them. In the west, the Inner Mongolia Autonomous Region (IMRA), the Tibet Autonomous Region (TAR), and the XUAR, along with nine other provinces, an autonomous region and one provincial-level municipality, have undergone major development campaigns, such as the Great West Development Project which was launched in 2000 by the Chinese government,²³ but the minorities in these regions have experienced limited benefits and much disruption.²⁴

With the deepening of opening and reform since 1978, the cities along the coast have become areas in which all nationalities from around the country gather.²⁵ As many Uyghurs have pursued opportunities for development, in order to improve their economic situation, they have also followed this trend and moved to those coastal cities.

A study entitled "An Investigation on the Xinjiang Village in Beijing - The Changes of Xin-

jiang Village in Beijing", which was carried out by Yang Sheng-min from the Sociology Department of Beijing University and Wang Han-sheng from the School of Ethnology and Sociology of Minzu University of China, focused on the Floating Uyghur population in Beijing. The research involved the distribution of questionnaires to the minority people living in an area of Beijing called "Xinjiang Village". The results of this research showed that Uyghurs made up 92.1% of the respondents. Of the 203 participants in the investigation, 187 were Uyghurs and 11 were members of other minorities. The identity of 5 respondents was unknown. Unfortunately, even though this investigation was carried out in October 2000, and the statistical analysis was finalised in 2001, the study was then not published until 2008.²⁶ By that time, the "Xinjiang Village", which is also known as Weigongcun, had been bulldozed in 2005. There are now only two big Uyghur restaurants, and there are not as many Uyghurs living there as before. While there has so far been no academic research carried out into the reasons for the eviction of Weigongcun, a few government-hosted websites have claimed that the evacuation was carried out in order for municipal construction to take place in Beijing.²⁷ Other commentators have suggested that the evacuation was carried out in order to enhance the security arrangements for the 16th meeting of the Chinese Communist Party in Beijing.²⁸ It has also been suggested that the destruction of Weigongcun was a deliberate move by the authorities to expel Floating Uyghurs from the Chinese capital.

1.3 The Composition of Uyghurs Living in China Proper

The Uyghurs living in China Proper can be divided into the following categories:²⁹

- 1) Uyghurs who were born and grew up in China Proper, who are fluent in Chinese, but are unable to speak well in their mother tongue of Uyghur;
- 2) Uyghur students who are studying in universities in China Proper, most of whom are fluent in both Chinese and Uyghur;
- 3) The Floating Uyghur population which is fluent in Uyghur but speaks poor Chinese and has a very limited education; and
- 4) Uyghurs who are working in factories in cities such as Beijing and Tianjin and the provinces like Zhejiang and Shandong,³⁰ most of whom are young people who are fluent in Uyghur but have only completed compulsory education and thus have very limited ability in speaking Chinese.

2. The Pains Faced by Uyghurs in China Proper

2.1 Serious Health Issues

"On 27th August 2009, a patient died who was 28 years old. It was only about six months after he found out that he was HIV positive. He had been living in Beijing for many years. He had been using drugs for five years. He lived alone. He didn't have too much contact with his home (Xinjiang Uyghur Autonomous Region). He had no job. He died in the street in the capital of China where many Uyghur youths came with high hopes that they could have a better life than in Xinjiang and that they could share the modernization of our country."³¹

HIV/AIDS represents one of the main health crises currently facing Uyghurs living in China Proper.³² According to a report from the government-created Think Tank Research

Centre for Health Development,³³ the only organisation other than Beijing AIZHIXING Institute which conducted a needle-exchange program among Uyghurs in Beijing, the percentage of Uyghur drug-users who have been diagnosed with HIV/AIDS is a shocking 51.97%.³⁴ In an open letter to the Beijing Public Security Bureau, Wan Yanhai (a prominent Chinese human rights activist and the director of Beijing AIZHIXING Institute) stated:

"On January 11, 2009, accompanied by the volunteers, I went to the Beijing Daxing District to visit a female AIDS patient. When we arrived at her home, we found that she was lying on the bed in pain. (...) We promised to take her to the hospital the next day. Unfortunately, in the same evening, we got the news that the woman had died. (...) During the same week we heard that two other Uyghur women had died because of HIV. I not only feel sorry for the women, but also realised that our city is not treating the Uyghur people from Xinjiang well. They died not because of a lack of medical treatment, but because of the lack of healthcare, which our government is supposed to provide to poor AIDS patients."³⁵

Marginalisation, drug use and the inability to access healthcare in the area in which they are living have become common features of life for the Floating Uyghurs.³⁶ Despite the existence in Beijing and other urban centres of a State Ethnic Affairs Commission, whose responsibilities include conducting studies related to ethnic issues, making relevant policies, and coordinating and monitoring the conduct of other agencies with obligations relating to ethnic minorities,³⁷ there are no government-supported projects or funds available to solve the health crisis which the Floating Uyghurs face. Even when the Chi-

nese government invested significant funds in support of HIV/AIDS projects in XUAR,³⁸ very little attention was given to the Floating Uyghurs living in China Proper, despite the seriousness of their healthcare problems being clearly evident.

2.2 Access to Housing

In addition to suffering from lack of access to adequate healthcare, the Floating Uyghurs also face challenges in obtaining access to housing. The housing issue has become yet another concern and difficulty in the lives of the Uyghurs in China Proper. A report entitled “A Glimmer of Ethnic Harmony”, published in a high profile political magazine, stated:

“Over 100 Uyghurs are living in Daxing district in Beijing. Before October 2009, nobody would rent rooms to them. When it turned dark, they went to internet bars or public bathrooms to spend the night. Two months ago, a staff member who is working for AIZHIXING Institute came to them and started to help them with rental. The staff knocked on the door one by one and communicated with homeowners. Until now, he arranged rooms for more than 30 people. If each of them could help another person, then there would be more than 60 people settled down.”³⁹

The same report cited part of an interview with a female migrant:

“We are no wolves! No need to drive me out, I’m not entering your home!’ said Mlika, a 40-year-old Uyghur woman, with trembling voice, and who couldn’t hide her emotions. ‘It is your home not ours. If I ever did anything bad, you could drive me out.... if you let, we stay; if not, we leave. We are not servants, not wolves, why do you keep yelling ‘out’ ‘out’ at us!’”⁴⁰

During a site visit carried out by Beijing AIZHIXING Institute as part of its Uyghur Project, members of the Floating Uyghur population expressed their anger at not being able to rent houses from the local residents. The few Floating Uyghurs who were able to rent accommodation found themselves paying much more than other Han Chinese renters in the same area.⁴¹

Another common form of discrimination against the Floating Uyghurs is that it is also very difficult for them to stay in a hotel.⁴² This makes their lives even more difficult and frustrating as they cannot live as real Chinese citizens, as the Han people, and they are always treated like second class citizens. The case given below is a typical example:

“On 22th October, Beijing AIZHIXING Institute planned to have a meeting in Beijing Zhongshilong Hotel. Finally we chose not to hold one there since in the agreement we found a clause saying: ‘In accordance with the Municipal Regulation our hotel will not accept customers from XUAR and Tibet’”.⁴³

These cases demonstrate the violation of the fundamental rights of Uyghurs who should clearly be protected by the principle of non-discrimination established in many international treaties, as well as the PRC Constitution. Owing to a lack of sufficient evidence, it is very hard to challenge such violations so the Floating Uyghurs continue to face these difficulties.

2.3 Access to Employment

Given the difficulties which many Floating Uyghurs have with speaking the Chinese language, it has become extremely hard for Uyghurs, especially those who have received limited education, to find employment in China Proper. No solid estimates of unem-

ployment rates among the Floating Uyghurs are available. However, when interviewed in 2009, a Uyghur man in a Uyghur restaurant in Weigongcun told Beijing AIXHIXING Institute:

“I can be a security guard, or I can start my own small business, but they never will hire us. And to get a license is not easy. You need to know some people in related agencies.”⁴⁴

A Uyghur interviewee in Shenzhen stated:

“One day after lunch I saw many Han local residents just chasing someone. Out of curiosity, I asked them in English what had happened. One of them told me that they were some thieves from XUAR. Now finally they had been caught. I feel very bad. I even cannot tell them that I am Uyghur too.”⁴⁵

Many Uyghurs who work in China Proper and who belong to the first and second categories referred to in section 1.3 above, are not willing to talk about the Floating Uyghurs, since many of them feel ashamed. They feel that such people do not deserve to be helped since they are ruining the reputation of Uyghurs.⁴⁶ They tend to be students who choose to find a job after graduating from University. The desire to become a good Uyghur is widespread amongst Uyghurs living in China Proper, since Uyghurs feel one individual’s reputation could influence the whole nation.

In a society like China which does not have freedom of information or free media, the relationship between the Han Chinese and the Floating Uyghurs has grown even worse. In many public discussions, when Uyghurs speak of the discrimination which they face and their own situation in general, they are branded as “separatist”.⁴⁷ This reflects the

fact that China has become noticeably more nationalist since the early 1990s⁴⁸ and, also, it represents the Han Chinese government’s hard-line reaction to the rising desire for independence amongst the Uyghurs.⁴⁹

2.4 Routine Checks and “Special” Treatment before Big Events

As the Floating Uyghurs mostly originate from the XUAR, they have been affected by the governmental policy towards Uyghurs in the XUAR in many respects. For instance, shortly after the terrorist attacks on the United States of America on 11 September 2001, public statements by Chinese authorities signalled the official decision to use the “global war on terror” to intensify the repression of Uyghur people.⁵⁰ When it comes to Floating Uyghurs, the situation might be more serious. Some of the Floating Uyghurs are involved in criminal acts.⁵¹ The statements of the authorities relating to the Uyghur population gave police extensive rights to check Uyghurs arbitrarily, to examine their identity cards and their temporary residential cards, to carry out urine tests, and to expel them from big events. This happened on a number of occasions, including: (i) the 2008 Beijing Olympic Games; (ii) the 2009 60th Anniversary of the PRC; (iii) the Shanghai expo of 2010; and (iv) the Guangzhou Asian Games.⁵² In the summer of 2009, during a site visit of Beijing AIZHIXING Institute to the Daxing district of Beijing, members of the Floating Uyghur community expressed their response to such violations:

“If the police have enough evidence to arrest us, they can do it. And we will say nothing to this. But they will check us whenever they want, and treat us like criminals all the time. Tell me are we Chinese or not?”⁵³

A woman named Guli said: "As soon as we want to say something to protest against unjust treatment, they will accuse us of 'separatism' or some other crimes related to politics." A Uyghur man added: "So we just try to be quiet."⁵⁴

Although the Chinese propaganda about the threat of Uyghur terrorism occasionally noted that only a small number of Uyghurs were "separatist-fundamentalist-terrorists", policies such as the general round-up and relocation of Uyghurs residing in Beijing and Shanghai before the Olympics implied that no Uyghurs were to be trusted. A stereotype developed, even among well-educated urban Han Chinese, through which Uyghurs came to be viewed as ungrateful, lazy, violent, knife-carrying, pick-pocketing criminals, in addition to being potential terrorists.⁵⁵

3. Legal Analysis

There are many domestic laws in China which cite the principles of non-discrimination and equal treatment before the law.⁵⁶ However, the examples provided in this article demonstrate that in practice the domestic laws do not protect and fulfil the equal rights of the Floating Uyghurs.

3.1 The Rights to Equality and Non-discrimination

According to Article 33 of the 1984 PRC Constitution, all Chinese citizens should be treated equally. This constitutional principle is bolstered by the obligations which China has assumed under many international treaties including, for example, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).⁵⁷

3.2 Domestic Laws

Article 4 of the PRC Constitution provides the fundamental principles of non-discrimi-

nation and equality of all nationalities, while carrying a prohibition against secessionism. It states:

"The state protects the lawful rights and interests of the minority nationalities and upholds and develops the relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited; any acts that undermine the unity of the nationalities or instigate their secession are prohibited. The state helps the areas inhabited by minority nationalities speed up their economic and cultural development in accordance with the peculiarities and needs of the different minority nationalities. Regional autonomy is practised in areas where people of minority nationalities live in compact communities; in these areas organs of self-government are established for the exercise of the right of autonomy. All the national autonomous areas are inalienable parts of the People's Republic of China. The people of all nationalities have the freedom to use and develop their own spoken and written languages, and to preserve or reform their own ways and customs."

It is clear that this provision of the PRC Constitution should offer protection to the Floating Uyghurs. The Chinese government should take responsibility for the protection and fulfilment of Uyghur rights, as clearly required by the domestic laws.

As regards the healthcare and housing issues facing the Uyghurs, along with their inability to obtain legal assistance, and especially the problems facing the much more vulnerable Floating Uyghurs, it is evident that the Uyghurs are not being provided with sufficient state protection. Even worse, their fundamental rights of equality are being violated by the state. It should be added that whilst

this article addresses the particular problems facing the Floating Uyghur population, the Chinese government fails to comply with its constitutional obligations towards many of China's migrant workers.

Article 3 of the PRC Employment Promotion Law provides that all workers have the right to choose their job: "The employment of the workers cannot be discriminatory in terms of nationality, race, gender, and religious belief."⁵⁸ This provision affirms the right of all persons to have equal opportunity in choosing jobs within the employment market. In the context of the Floating Uyghurs, these laws are simply not being enforced, as is evident from the interviews of Uyghurs referenced in this article, and those featured in Beijing AIZHIXING Institute's report, *Human Rights Report on Uyghurs Living in Innerland China - According to Uyghurs in Beijing*.⁵⁹

3.3 International obligations

Non-discrimination and equality are fundamental principles of international human rights law, and apply to ethnic minorities. They are provided in the Universal Declaration of Human Rights (UDHR), and international treaties have built on these basic principles.⁶⁰ The ICERD, for example, includes prohibitions against all forms of racial discrimination, whether based on race, colour, descent, or national or ethnic origin, and calls for the pursuance of a policy eliminating racial discrimination. More recently, the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNDM)⁶¹ elaborated the full range of minority rights. An authoritative interpretation of the UNDM stated that in the absence of a UN treaty directed entirely towards minority rights, the UNDM represents a universal baseline standard for minority rights under international law.⁶²

In addition, as a State Party to the International Covenant on Economic, Social and Cultural Rights,⁶³ the International Convention on the Elimination of Racial Discrimination,⁶⁴ the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),⁶⁵ the Convention Against Torture and other Cruel, Inhumane, or Degrading Treatment or Punishment (CAT),⁶⁶ and the Convention on the Rights of Child,⁶⁷ the Chinese government is bound to implement these rights, including non-discrimination and additional protections for minorities, and report on its compliance and implementation.⁶⁸ Compliance with such obligations would go a long way to protecting the rights of the Floating Uyghurs.

3.4 China's Failure to Meet its Obligations

While many laws, regulations, policies and statements address the importance of equality among Chinese ethnic groups, the Chinese government is not meeting its obligations, at either the domestic or international level, to protect and fulfill the rights of minorities. The examples referred to in this article provide evidence of this failure.

The obstacles for meeting these obligations include: (i) gaps between central policies and local implementation; (ii) the lack of a legal definition of discrimination; (iii) the lack of systematic and effective monitoring and assessment of implementation; and (iv) poor institutional capacity.⁶⁹ Further, when it comes to the Floating Uyghurs, in most situations they seem to have become invisible through living in isolation, and the government is therefore less willing to address the violations which they face.

4. Conclusions - The Pain Continues

In recent years, China has acknowledged some of its problems, particularly in relation

to the growing economic gap between the coastal provinces and the Western regions. Despite this acknowledgement and some progress being made in relation to these problems, China continues to use its “developing” country status to defend itself against criticism of its human rights policies.⁷⁰ These tactics simply ignore the “pains” of the Floating Uyghurs. As mentioned above, there were not enough funds given to implement the health project for all Floating Uyghurs living in China Proper. Further, as the only NGO conducting a Uyghur healthcare and legal assistance project in Beijing and Kunming, Beijing AIZHIXING Institute has faced significant interference from the Chinese government.⁷¹ The harassment, intimidation and threats peaked during periods in which China was in the international spotlight. A month before both the Olympic Games in 2008 and the 60-year anniversary of the People’s Republic Of China in 2009, Beijing AIZHIXING Institute was forced to cease operation temporarily.⁷² According to a report in *Global Times*, Deng Shengguo, Deputy Director of the NGO Research Centre at Tsinghua University, stated that the government is imposing tighter regulations on NGOs because it fears that they are a potential source of social unrest through political mobilisation.⁷³ As a result of such interferences, Beijing AIZHIXING Institute has been forced to delay some of its outreach projects in several communities. Along with this, the Uyghur project targeting the Uyghur population in Beijing has been delayed, while the Uyghur staff members of the Beijing AIZHIXING Institute were compelled to leave Beijing for Kunming.

In January 2006, an online project was launched by Ilham Tokhti, an outspoken Uyghur Professor of Economics,⁷⁴ who hopes to discuss openly the issues which Uyghurs face in China. Professor Tokhti said in a recent interview in *The New York Times*: “I am wor-

ried that many of my people might be driven to extremism.”⁷⁵

While this comment mainly relates to the Uyghurs in XUAR, the similar situation facing the Floating Uyghurs in China Proper suggests that another alarm should be sent to the authorities in relation to the Floating Uyghurs. Aside from the two independent groups, Beijing AIZHIXING Institute and the Uighurbiz Network, who have openly spoken out on behalf of the Floating Uyghurs, there are very few groups who are working to resolve the problems and discrimination which the Floating Uyghurs face in China Proper. Minority issues in China are hugely sensitive, as demonstrated to the international community, as well as the Chinese government, when the riot took place in Urumqi on 5 July 2009.⁷⁶ If the Chinese government does not provide legal enforcement to protect the Floating Uyghurs from all forms of discrimination and inequality, then it will be hard to avoid another conflict of this nature.

5. Urgent Action

Investigations must be carried out in order to establish who is responsible for the systemic failures in protecting the rights of the “invisible” Floating Uyghurs, and the government must be encouraged to take action in order to fulfil its obligations to every citizen in its territory. In his open letter to the Beijing Municipal Bureau, Wan Yanhai wrote that:

“[T]he government should stop unfriendly actions towards Uyghurs in Innerland China, such as separatist propaganda; the government should allocate funds to help the Uyghur community, including the development of education, community social organizations, employment opportunities and medical services; it should encourage organizations to carry out comprehensive

health education and provide health services among Uyghur floating populations in China Proper; it should make urgent arrangements for medical treatment and HIV/AIDS care among them as well; it should provide drug treatment services and carry out harm reduction programmes among Uyghur drug users living in China Proper.”⁷⁷

To protect the Floating Uyghurs, the Chinese government must also ensure effective protection against discrimination.⁷⁸ The Chinese government should be encouraged to implement its obligations under the ICERD and other international treaties. In its report, *China: Minority Exclusion, Marginalization and Rising Tensions*, Human Rights in China addresses issues relating to minority rights. It recommends that the Chinese government should give full effect in its domestic law to ICERD’s provisions and all other international human rights treaties ratified by China, and should ensure that individuals are afforded access to effective protection and legal and administrative remedies through competent and independent institutions and processes.⁷⁹ Without taking such steps, China will not only trigger the discontent of the Uyghurs but in the long term, the Han people will also suffer and a “chain reaction” effect will impact on the stability of the whole society as the ordinary Han people may become the object of revenge, as seen in the tragic events of 5th July 2009.⁸⁰

There are currently very limited freedoms given to reporters in China. Some independ-

ent reports relating to the lives of the Floating Uyghurs could be found,⁸¹ and it is hoped that these will help the public to see the pains that the Floating Uyghurs are suffering whilst living far from their homeland and familiar culture. It is hoped that these reports will add to the understanding of human feeling and the common sense of brotherhood and real friendship. The immediate action of the media is inevitably required in order to raise public awareness.⁸²

Finally, any project aiming to help or promote the rights of the Floating Uyghurs should consider encouraging the people from that community to become actively involved in the project and to communicate with the local Han people in any possible way. On the one hand, it is only when the voice of the Floating Uyghurs is heard by the policy-makers, legislators and local officials responsible for implementation, that the rights of those people will be protected adequately and effectively. On the other hand, it will only be when it is ensured that people from the suffering Floating Uyghur community are actively involved in those processes or projects, that they will really receive benefits.

In reality, the relationship between the Han Chinese and the Floating Uyghurs will be improved only when the two communities have a mutual understanding of one another’s culture and respect for one another’s customs. Only then could real social harmony be achieved.⁸³

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² Human Rights Watch, *China: "We Are Afraid to Even Look for Them": Enforced Disappearances in the Wake of Xinjiang's Protests*, 20 October 2009, available at: <http://www.hrw.org/en/node/86103/section/1>.

³ Congressional -Executive Commission on China, "Details of the July 5 Demonstration", available at: www.cecc.gov/pages/virtualAcad/index.php?showsingle=125582.

⁴ Rebiya Kadeer, "Unrest in East Turkestan: What China is Not Telling the Media", 20 July 2009, available at: <http://www.uhrp.org/articles/2539/1/Unrest-in-East-Turkestan-What-China-is-Not-Telling-the-Media-/index.html>.

⁵ See above, note 2, p. 8.

⁶ Bovingdon, G., *The Uyghurs: Strangers in Their Own Land*, Columbia University Press, 2010, p. 170.

⁷ Millward, J. A., "Introduction: Does the 2009 Urumchi violence mark a turning point?", *Central Asian Survey*, Vol. 28 (4), 2010, p. 11.

⁸ Editor's note: "China Proper" is the name used to describe the part of inner-land China which has traditionally been occupied by Han Chinese. Today, "China Proper" is a controversial term in China, since the current official discourse does not contrast the core and the periphery of China. The term "China Proper" is officially avoided as it may be interpreted to justify separatism. On the other hand, many authors use this term to make a difference between "China Proper" as a culturally defined nation and "China" as a political entity.

⁹ See, for example, Millward, J. A., *Eurasian Crossroads: A History of Xinjiang*, Columbia University Press, 2007; Tyler, C., *Wild West China: The Taming of Xinjiang*, Rutgers University Press, 2004; Frederick Starr, S. (ed.), *Xinjiang: China's Muslim Borderland*, M. E. Sharpe, 2004; also see above, note 6.

¹⁰ During two years of working for Beijing AIZHIXING Institute, the author had the opportunity to engage in a Uyghur project in Beijing, through which many of the difficulties facing the Uyghurs in China Proper in their daily lives were witnessed. As a Floating Uyghur living in Beijing, the author has faced discrimination at the hands of the majority Han Chinese people, even though the author is in a better situation than many other Floating Uyghurs as a result of her education and ability to speak Mandarin.

¹¹ Hess, S., "Dividing and Conquering the Shop Floor: Uyghur Labor Export and Labor Segmentation in China's Industrial East", *Central Asian Survey*, Vol. 28(4), 2009, pp. 403-416.

¹² Beijing AIZHIXING Institute is one of the largest health rights NGOs in China established in 1994. Its purpose is to fight discrimination, advocate for equal access to health and social services among marginalised communities and also to advocate for an accountable legal system and government transparency in order to build a more robust platform for human rights in China, and to participate in community service programs. The author withholds the names of her colleagues for their own safety. For more information, see the organisation's website: www.aizhi.net. See also: <http://uob0w1.chinaw3.com/en/?p=12>.

¹³ It is unfortunate that owing to lack of resources, Beijing AIXHIXING Institute was unable to extend the scope of the Uyghur Project to include other cities where Floating Uyghurs live, such as Guangzhou, Shanghai, Zhenzhou and Nanjing. Further research into the daily experiences of the Floating Uyghurs in these cities should also be carried out in order to assess whether the patterns of discrimination identified in this article are more widely spread as is believed by the author to be the case.

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¹⁷ The International Work Group for Indigenous Affairs, *The Indigenous World 2010*, 2010, available at: http://www.iwgia.org/graphics/Synkron-Library/Documents/publications/Downloadpublications/IndigenousWorld/IW_%202010_WEB.pdf.

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¹⁹ See, for example, The Uyghur American Association website: www.uyghuramerican.org.

²⁰ Millward, J. A., and Perdue, P. C., "Political and Cultural History of Xinjiang Region through the Late Nineteenth Century", in Frederick Starr, S. (ed.), *Xinjiang: China's Muslim Borderland*, M. E. Sharpe, 2004, p. 77.

²¹ *Ibid.*, p. 81.

²² Mackerras, C., *China's Ethnic Minorities and Globalization*, Routledge-Curzon, 2003, p. 56.

²³ See the related Chinese website: <http://www.chinawest.gov.cn/>.

²⁴ Human Rights in China and Minority Rights Group International, *China: Minority Exclusion, Marginalization and Rising Tensions*, 2007, available at: www.hrchina.org/public/PDFs/MRG-HRIC.China.Report.pdf.

²⁵ Xiao-wen, L., "On the Relationship Between Multi-nationality and Multi-culture of City - Taking Coastal Cities in Guang Dong Province as Example", *Journal of Youjiang Teachers College for Nationalities Guangxi*, Issue 1, 2005, p. 18.

²⁶ Han-sheng, W. and Sheng-min, Y., "Formation and Evolution of Compact Community for Minority Floating Population in Big City - A Case Study of Xinjiang Village in Beijing", *North West Ethno-National Studies*, Issue 3, 2008, pp. 6-16.

²⁷ See the comment from Fengping, P. (ed.), *China National Religion*, 27 October 2009, available at: <http://www.mzzjw.cn/html/report/107627-1.htm>.

²⁸ "Beijing Xinjiangcun more than 100 residents sent back to Xinjiang", *China Watch*, 6 November 2002, available at: <http://www.kanzhongguo.com/node/27977>.

²⁹ This categorisation is taken from an online conversation between Wan Yanhai and other web users about the social issues and human rights of Uyghurs in Inner-land China on 26 August 2010, available at: www.1984bbs.com.

³⁰ See above, note 14, p. 7.

³¹ Zhuhe, "When will the dying stop?", *Outreach Diary of Beijing AIZHIXING Institute Uyghur Project*, August 2009.

³² Deutscher, J., "Public Health and Social Pathologies in Xinjiang", in Frederick Starr, S. (ed.), see above, note 20, p. 276.

³³ Chinese name 北京新探健康发展研究中心, available at: <http://www.healthtt.org.cn/>.

³⁴ This figure was taken from a power-point presentation by Cao Xue-yi entitled "Concerning the HIV/AIDS Assistance and Treatment of Migrant Drug Users" which was given at a conference at the Beijing Think Tank Health Development Centre on 4 December 2009.

³⁵ Yanhai, W., "An Open Letter to Beijing Municipal Security Bureau: Regarding the Uyghur Residents in Beijing", January 2009, available at: www.aizhi.net. Translated from Chinese by the author.

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³⁷ A description of The State Ethnic Affairs Commission (Chinese version) is available at: http://www.seac.gov.cn/gjmw/mwjs/M08index_1.htm. For an English translation, see the website of the US-China Business Council, available at: http://www.uschina.org/public/china/govstructure/govstructure_part5/26.html.

³⁸ See, for example, the description of the joint programme carried out by the Chinese Government and AusAID entitled "Xinjiang HIV/AIDS Prevention and Care Project", available at: http://www.ausaid.gov.au/china/projects/xin_hiv.cfm. See also the description of the joint programme carried out by The Joint United Nations Programme on HIV/AIDS and the Chinese Government entitled "UN Joint Programme on AIDS in China (2007- 2010)", available at: <http://www.unaids.org.cn/en/index/page.asp?id=159&class=2&classname=UN+Joint+Programme>.

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⁴⁰ *Ibid.*

⁴¹ See *Outreach Diary of Beijing AIZHIXING Institute Uyghur Project*, above note 31.

⁴² "Uyghur Civil Rights Movement: No Uyghurs in Our Hotel", *The New Dominion*, 20 October 2008, available at: <http://www.thenewdominion.net/395/the-uyghur-civil-rights-movement-no-uyghurs-in-our-hotel/>. See also

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⁴³ Beijing AIZHIXING Institute, *Human Rights Report on Uyghurs Living in Inner-land China - According to Uyghurs in Beijing*, April 2010. Translated from Chinese by the author.

⁴⁴ See *Outreach Diary of Beijing AIXHIXING Institute Uyghur Project*, above note 31.

⁴⁵ Unpublished interview with a Uyghur man working in Shenzhen conducted by the author in December 2010.

⁴⁶ Taken from a discussion which the author participated in with Uyghurs working in China Proper on an online chat forum in March 2009.

⁴⁷ Uyghur Human Rights Project, *Persecution of Uyghurs in the Era of "War on Terror"*, 16 October 2007, p. 7, available at: http://uhrp.org/docs/Persecution_of_Uyghurs_in_the_Era_of_the_War_on_Terror.pdf.

⁴⁸ See above, note 22, p. 37.

⁴⁹ See above, note 6, pp. 170-171.

⁵⁰ See above, note 47, p. 1.

⁵¹ See above, note 22, p. 65.

⁵² See above, note 43, p.19.

⁵³ See *Outreach Diary of Beijing AIXHIXING Institute Uyghur Project*, above note 31.

⁵⁴ *Ibid.*

⁵⁵ See above, note 7, pp. 4-5.

⁵⁶ See, for example, Article 20 of The Labor Law of People's Republic of China 1995 (available at: <http://www.usmra.com/china/Labour%20Law.htm>), Article 3 of PRC Employment Promotion Law 2008 (available at: <http://www.chinalawandpractice.com/Article/1777243/Channel/9931/PRC-Employment-Promotion-Law.html>), and The Notice on Strict Implementation of the State Policy on Minorities issued in May 2008.

⁵⁷ China signed the International Convention on the Elimination of Racial Discrimination on 29 December 1981 and subsequently ratified it on 28 January 1982.

⁵⁸ PRC Employment Promotion Law 2008, available at: <http://www.chinalawandpractice.com/Article/1777243/Channel/9931/PRC-Employment-Promotion-Law.html>.

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⁶³ China signed the International Covenant on Economic, Social and Cultural Rights on 27 October 1997 and subsequently ratified it on 27 March 2001.

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⁶⁵ China signed the Convention on the Elimination of All Forms of Discrimination Against Women on 17 July 1980 and subsequently ratified it on 4 November 1980.

⁶⁶ China signed the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment on 12 December 1986 and subsequently ratified it on 4 October 1988.

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⁷⁶ See above, note 2, p. 8.

⁷⁷ See above, note 35.

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