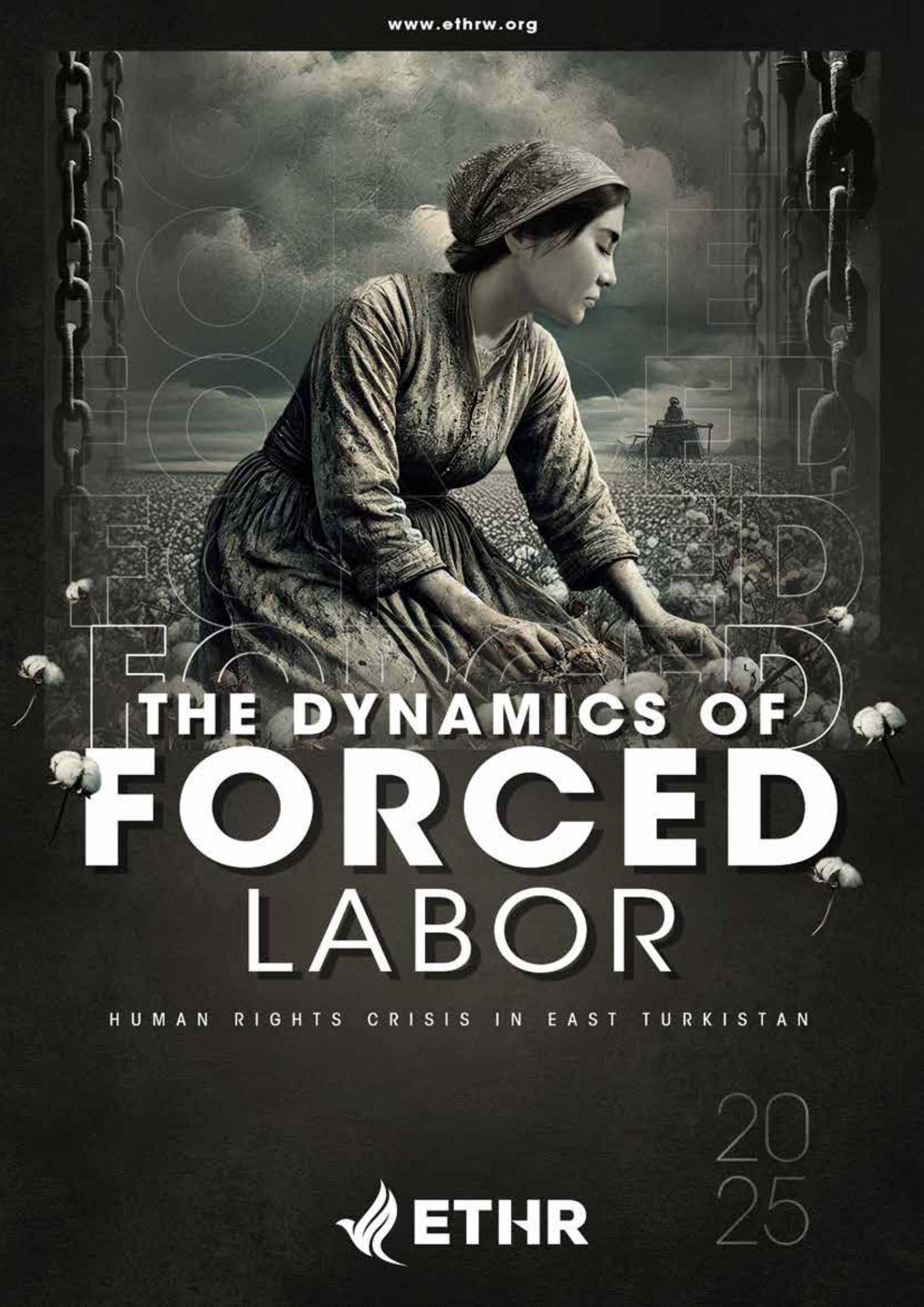




THE DYNAMICS OF **FORCED** LABOR

HUMAN RIGHTS CRISIS IN EAST TURKISTAN



ETHR

DOĞU TÜRKİSTAN İNSAN HAKLARI İZLEME DERNEĞİ

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Introduction

Forced labor is a major human rights violation that involves exploiting labor against one's will through threats, coercion, or force. Throughout history, forced labor has appeared in various contexts, ranging from ancient slavery systems to modern-day manifestations. Today, forced labor takes many forms, including human trafficking, debt bondage, commercial sexual exploitation, and child labor. Forced labor particularly targets vulnerable groups. These practices violate fundamental human rights and severely undermine the principles of social justice and economic equality. While forced labor persists as a global problem, states and international organizations are developing comprehensive measures to abolish it. However, for these efforts to succeed, there must be strong public awareness, robust legal measures, and international cooperation.

This report offers a thorough analysis of forced labor, focusing specifically on China's actions in East Turkistan. Using a multidimensional framework, this report explores forced labor practices in the region. This report also aims to raise awareness about forced labor in a global context as well as ongoing incidents in East Turkistan.

The report is structured around three main sections. The first section establishes a conceptual foundation by examining the historical background of forced labor and presenting key terms and definitions. This section explores the origins of current forced labor practices through an examination of historical forms of labor exploitation, such as slavery and serfdom.

The second section provides an analysis of international legal standards, examines relevant legal frameworks, and compares these standards with existing human rights principles. The legal mechanisms developed by global organizations, such as the International Labor Organization (ILO) and the United Nations (UN), to combat forced labor are evaluated in regional and global contexts. This analysis questions the extent to which the current situation aligns with international norms and highlights areas in need of improvement. Additionally, this section addresses legal regulations and practices related to forced labor in Türkiye, contributing to an assessment of the country's legislative framework. In this regard, this section examines both international human rights standards and domestic legislation in Türkiye.

The third section provides an in-depth examination of China's policies and a detailed analysis of forced labor mechanisms in East Turkistan, along with documentation of related human rights violations. It also establishes a foundation for future research and policy recommendations.

Aligned with the international human rights perspective, this report addresses the phenomenon of forced labor within historical and contemporary contexts. By documenting the ongoing humanitarian crisis in East Turkistan, this report aims to raise awareness and promote a comprehensive understanding of the issue. Adopting a systematic approach, this report provides a comprehensive basis for understanding the multidimensional nature of forced labor and developing viable solutions.

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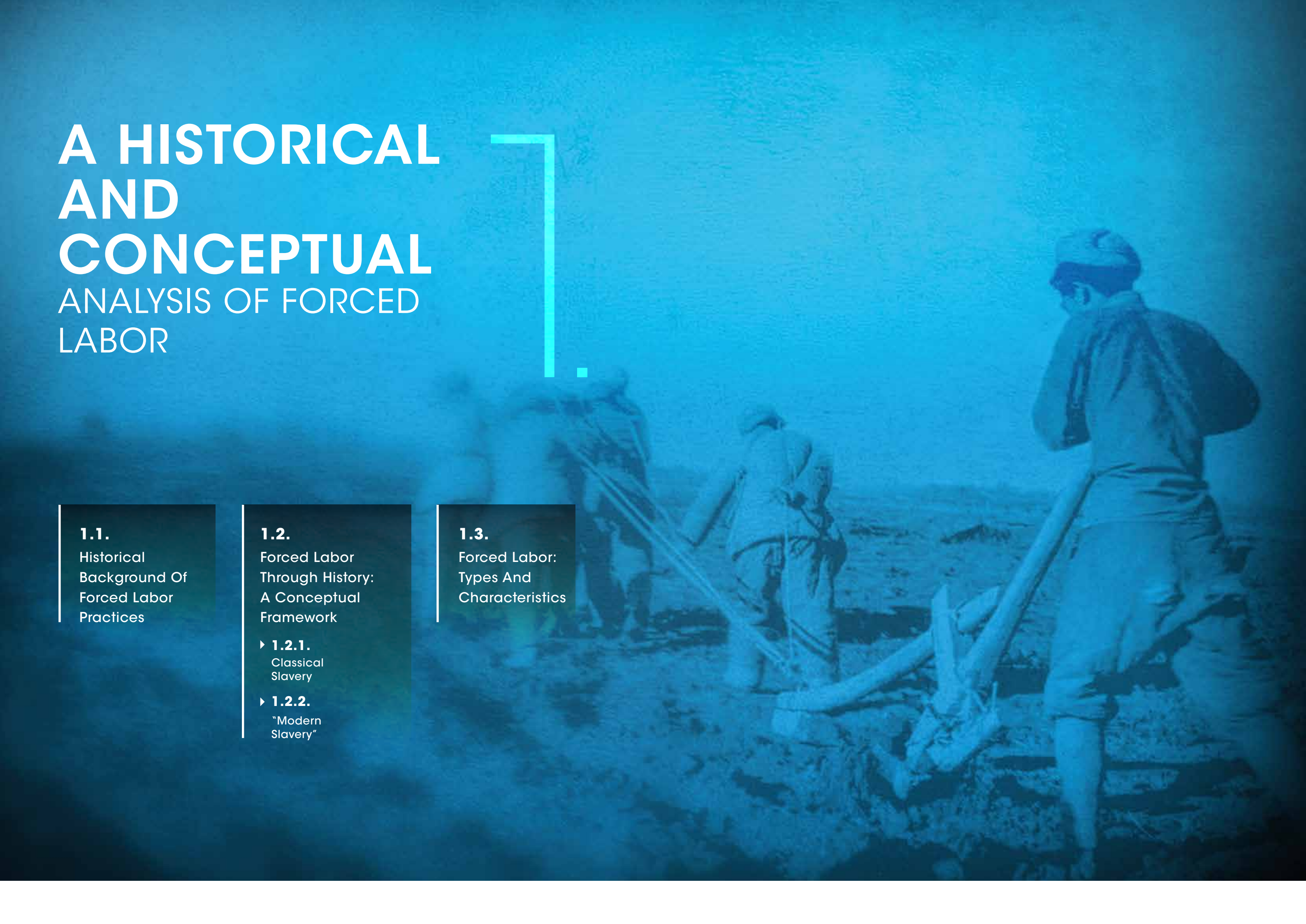
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A HISTORICAL AND CONCEPTUAL ANALYSIS OF FORCED LABOR

1.1. HISTORICAL BACKGROUND OF FORCED LABOR PRACTICES

Throughout history, forced labor has played a significant role in economic, social, and political structures, taking various forms in different periods. These practices have shaped the balance of power and wealth in societies by controlling and exploiting labor. This process has given rise to a wide range of practices, including slavery, serfdom, and labor exploitation fueled by the Industrial Revolution, as well as modern-day human trafficking.

In ancient times, forced labor was most often carried out through slavery. In civilizations such as ancient Egypt, prisoners of war and debt slaves were essential to production processes. Karev emphasizes the critical role slavery played in building monumental projects in ancient Egypt. She also highlights how the effective organization of slave labor significantly reinforced political authority.¹ During this period, slaves were not only considered for their economic contributions but also as symbols representing the hierarchical power structure of society.

In the ancient world, slavery was not just an economic arrangement. It was also a mechanism of dehumanization. puts it, slavery deprived individuals of their social ties, subjecting them what he calls a state of "social death."²

During the Middle Ages, forced labor practices in Europe transformed from slavery to serfdom. In the Roman Empire, there was an economic system in which large numbers of slaves worked on land leased by the state to feudal farmers. These slaves produced goods for the market.³ The feudal system has maintained control over labor through land ownership and local authority. Although serfs were not legally considered slaves, they were nonetheless bound to devote their lives and labor to landowners.

Kantorowicz explains how the political and religious structures of this period legitimized the forced labor of serfs.⁴ The religious basis of feudal authority fostered acceptance of serfdom, reducing the likelihood of questioning the exploitation of labor.

The Industrial Revolution marked a period in which forced labor took on new forms and dimensions. Hobsbawm notes that this era saw the emergence of large working-class populations employed in factories for extremely low wages.⁵ Rather than open coercion, forced labor was perpetuated by economic necessity, as people were forced to sell their labor just to survive. In the modern world, labor exploitation persists through more sophisticated mechanisms, with the economic system itself enabling and sustaining these forms of exploitation.

In the modern era, forced labor practices have become more complex. Although legal slavery has been abolished, practices such as human trafficking, debt bondage, and forced labor persist, particularly within the global economy. Bales emphasizes that modern slavery has resurfaced in response to the demand for cheap labor, which is driven by the economic dynamics of globalization.⁶



Photo: https://www.thepaper.cn/newsDetail_forward_4091744

Today, millions of people around the world continue to work under exploitative and inhumane conditions for extremely low wages. Patterson argues that these modern forms of slavery are a continuation of historical forced labor practices and states that the concept of "social death" remains relevant in the contemporary context.⁷

Throughout history, forced labor has been an integral part of human societies' economic and social structures. While these practices have taken different forms from antiquity to the modern era, the underlying theme of controlling and exploiting human labor has prevailed. The studies of Damian Alan Pargas and Felicia Roşu on the history of slavery offer valuable insights for analyzing current manifestations of forced labor.⁸ This historical perspective is crucial for understanding the origins of ongoing inequalities and injustices.

1.2. FORCED LABOR THROUGH HISTORY: A CONCEPTUAL FRAMEWORK

To understand the legal foundations of forced labor, it is essential to recognize its historical roots in the institution of slavery. Throughout history, slavery was a central component of many economic and social systems in which individuals were stripped of their fundamental rights and freedoms and compelled to work. Although forced labor differs from slavery in that it does not involve the legal ownership of individuals, it shares core features such as the coercive control and exploitation of labor without consent. In the legal context, modern regulations addressing forced labor can be traced back to international anti-slavery conventions and related legal instruments. Therefore, examining the legal evolution of forced labor from its origins in slavery offers valuable insight into how it has been redefined within the framework of contemporary international norms.

1.2.1. CLASSICAL SLAVERY

The concept of slavery was formally defined at the international level for the first time in the 1926 Slavery Convention, which primarily aimed to abolish the slave trade. According to the convention, slavery is defined as "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised."⁹ In other words, slavery refers to the condition in which a person is deprived of the right to liberty and is treated as the property of another.¹⁰

The abolition of slavery was only achieved after a prolonged struggle. Following the French Revolution, France became the first country to outlaw the slave trade in 1794. Then, in 1807, the United Kingdom banned the slave trade within its territories. In 1833, the United Kingdom granted freedom to all enslaved people within the empire. Similar measures were implemented in France in 1848, in Portugal in 1858, and in the Netherlands in 1863. In the United States, slavery was abolished in 1865 after the Civil War.¹¹

The first international document addressing the abolition of slavery was adopted at the Congress of Vienna in 1815. Led by the United Kingdom and France, the Congress

1 Karev, E. "Ancient Egyptian Slavery." In *The Palgrave Handbook of Global Slavery Throughout History*, edited by Damian Alan Pargas and Felicia Roşu, 41–66. Palgrave Macmillan, 2023.

2 Patterson, Orlando. *Slavery and Social Death: A Comparative Study*. Harvard University Press, 1982.

3 Poggi, Gianfranco. *Modern Devletin Gelişimi*. Translated by Şule Kut and Binnaz Toprak. İstanbul Bilgi Üniversitesi Yayınları, 2009.

4 Kantorowicz, Ernst H. *The King's Two Bodies: A Study in Medieval Political Theology*. Princeton University Press, 2016.

5 Hobsbawm, Eric J. *The Age of Revolution: 1789–1848*. Vintage Books, 1996.

6 Bales, Kevin. *Disposable People: New Slavery in the Global Economy*. University of California Press, 1999.

7 Patterson, Orlando. "Freedom in the Making of Western Culture." In *The Cultural Matrix: Understanding Black Youth*, edited by Orlando Patterson and Ethan Fosse. Harvard University Press, 2015.

8 Pargas, Damian Alan, and Felicia Roşu, eds. *The Palgrave Handbook of Global Slavery Throughout History*. Palgrave Macmillan, 2023.

9 Allain, Jean & Hickey, Robin. "Property Law and the Definition of Slavery." *International and Comparative Law Quarterly*, 61, 915–938, 2012, 10.1017/S0020589312000450.

10 Zülfiye Zeynep Bakır, "Modern Kölelik (İNSAMER, Araştırma 19-Uluslararası Hukuk, August 2016), 2; Gülnihal Bozkurt, "Eski Hukuk Sistemlerinde Kölelik," *Ankara Üniversitesi Hukuk Fakültesi Dergisi*, 38, no. 1 (1981), 65.

11 Akylmaz, "Osmanlı Hukukunda Köleliğin Sona Ermesi ile İlgili Düzenlemeler ve Tanzimat Fermanı'nın İlanından Sonra Kölelik Müessesesi," 216.



Photo: The Production and Construction Corps is working to revitalize the wastelands.

Source: http://www.wenming.cn/specials/100/px/202108/t20210811_6140098.shtml

resulted in a declaration signed by nine states that urged the immediate abolition of the slave trade. This declaration was the first multilateral agreement in history dedicated to prohibiting slavery.¹²

The initial declaration was followed by a series of bilateral and multilateral treaties at the international level. By 1957, there were over 300 international legal measures addressing the abolition of slavery. Although the 1926 Slavery Convention, adopted in Geneva under the League of Nations, was a significant achievement, slavery was not absolutely prohibited until the emergence of supranational human rights law. Under this framework, slavery is banned entirely. The United Nations Human Rights Committee has confirmed that this prohibition is not subject to derogation and has classified it as a peremptory norm (*jus cogens*).¹³

The absolute prohibition of slavery has been reinforced through the recognition and adoption of numerous treaties and legal instruments within international law, further solidifying its status as a peremptory norm. Article 4 of the 1948 Universal Declaration of Human Rights (UDHR) explicitly states: "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." Similarly, Article 4(1) of the 1950 European Convention on Human Rights (ECHR) affirms that "[n]o one shall be held in slavery or servitude," thereby establishing an absolute ban on slavery. This prohibition constitutes a non-derogable right, meaning it cannot be limited or restricted under any circumstances. The ECHR explicitly prohibits derogation from the right not to be subjected to slavery.¹⁴

Furthermore, Article 4(2) of the ECHR states: "No one shall be required to perform forced or compulsory labor," thereby explicitly banning forced labor, one of the modern forms of slavery addressed in more detail below. The United Nations International Law Commission has also affirmed in its commentaries on treaty draft articles that the prohibition of slavery and the slave trade qualifies as a peremptory norm.¹⁵

1.2.2. "MODERN SLAVERY"

Despite significant steps taken to abolish classical slavery, it has not been completely eliminated. In fact, its scope has expanded over time. Classical slavery, which was based on ownership, has evolved into human trafficking, debt bondage, sexual slavery, and child labor.¹⁶

States define modern slavery using terms such as forced labor, human trafficking, debt bondage, and forced marriage. Serving as an umbrella term that encompasses these and other exploitative practices, the concept of modern slavery is defined in the 2018 Global Slavery Index report by the Walk Free Foundation (WFF) as "situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, abuse of power, or deception."¹⁷

In essence, modern slavery is defined by how it is practiced. These practices reveal the various forms of modern slavery. Situations in which individuals cannot refuse or escape exploitation due to threats, violence, coercion, abuse of power, or deception can be classified as forms of modern slavery.¹⁸

While an exhaustive list of these forms and their specific characteristics is difficult to provide, various studies offer insights into the main categories of modern slavery.

Kevin Bales classifies modern slavery into three categories: chattel slavery, debt bondage, and contract slavery. Meanwhile, K. David Androff identifies six types: property-based slavery, debt bondage, contract slavery, state slavery, domestic servitude, and religious slavery.¹⁹

The Walk Free Foundation (WFF), on the other hand, emphasizes six major forms of modern slavery: human trafficking, forced labor, slavery and slavery-like practices, debt bondage, forced or servile marriage, and child exploitation and trafficking.²⁰

The Global Estimates of Modern Slavery report defines modern slavery as an umbrella term encompassing forced labor, forced marriage, human trafficking, and slavery-like practices. The report adopts the International Labor Organization (ILO) Convention No. 29 definition of forced labor. According to this definition, forced labor is "all work or service exacted from a person under threat of penalty for which the person did not voluntarily offer."²¹ The report emphasizes that forced labor includes various forms, such as the forced labor of children and state-imposed forced labor. In the private sector, the report highlights practices such as forced commercial sexual exploitation and debt bondage. Additionally, the report defines forced marriage as a union in which one or both parties have not given full and free consent, often due to physical, emotional, or financial coercion. Child marriage is categorized under forced marriage because one or both parties cannot give full, free, and informed consent due to their age.²²

In the context of the European Court of Human Rights (ECtHR) and the Council of Europe's legal framework, human trafficking and forced labor are the most prevalent forms of modern slavery.²³

1.3. FORCED LABOR: TYPES AND CHARACTERISTICS

In international law and human rights literature, forced labor is a fundamental concept that describes situations in which individuals are exploited for their labor without their consent, usually through coercion or threats. It is categorized as a form of modern slavery. The concept has been extensively examined from various perspectives in different sources.

The International Labor Organization (ILO) addresses the concept and operation of forced labor in a report titled Guidelines Concerning the Measurement of Forced Labor. The report defines forced labor as work performed involuntarily under the threat of penalty, highlighting two essential elements: involuntary work and coercion.²⁴ Involuntary work refers to work carried out without the worker's free will. Coercion encompasses the means used to prevent a person from refusing or leaving the work.²⁵

The ILO's guidelines elaborate on the different types of forced labor such state-imposed and privately-imposed forced labor. State-imposed forced labor includes work mandated by the government for purposes such as political coercion, economic development, or discriminatory practices. Examples of state-imposed forced labor include debt bondage and commercial sexual exploitation. Privately-imposed forced labor encompasses exploitative practices such as forced commercial sexual exploitation and bonded labor. The forced labor of children is particularly significant within this framework because it is one of the worst forms of child labor.²⁶ In developing strategies for measuring forced labor, the report also highlights its impact on vulnerable groups.²⁷

Another handbook, titled Hard to See, Harder to Count: Handbook on Forced Labor Surveys. It provides a more specific approach to researching and measuring forced labor. This handbook addresses different types of compulsory labor which are not state-imposed, emphasizing that such exploitation often stems from economic and social conditions that undermine consent.²⁸

12 Mehmet Semih Gemalmaz, Devlet, Birey Özgürlük, 3 (İstanbul: Legal Yayıncılık, 2015), 617.

13 Erkan Duymaz, "Modern Kölelik: Avrupa Konseyi Hukukunda Kölelik, Kulluk ve Zorla Çalıştırma Yasakları Üzerine Bir İnceleme," 68, 69; Inter-American Court of Human Rights Case of Aloeboetoe et al. v. Suriname 10 September 1993 para. 57; Inter-American Court of Human Rights Case Of The Hacienda Brasil Verde Workers V. Brazil 20 October 2016 para. 249; Inter-American Court of Human Rights Case of the "Las Dos Erres" Massacre v. Guatemala 24 November 2009 para. 140; Inter-American Court of Human Rights Advisory Opinion Oc-18/03 17 September 2003, Requested By The United Mexican States par. 72; David Weissbrodt and Anti-Slavery International, Abolishing Slavery and its Contemporary Forms (New York and Geneva: United Nations, 2002), 3, Accessed September 8, 2022, <https://www.ohchr.org/sites/default/files/Documents/Publications/slaveryen.pdf>; Gay J. McDougall, Contemporary Forms Of Slavery Systematic Rape, Sexual Slavery And Slaverylike Practices During Armed Conflict Final Report (United Nations, 22.06.1998), p. 9, par. 28, Accessed September 8, 2022, <https://digitallibrary.un.org/record/257682#-record-files-collapse-header>; United Nations, Report of the International Law Commission Seventy-first session (29 April-7 June and 8 July-9 August 2019), (New York: United Nations, 2019), 206 Accessed September 7, 2022 https://legal.un.org/ilc/documentation/english/reports/a_74_10.pdf.

14 Ulaş Karan, "Kölelik, Kulluk, Zorla Çalıştırma ve Zorunlu Çalışma Yasası: Anayasa ve Avrupa İnsan Hakları Sözleşmesi Bağlamında Karşılaştırmalı Analiz," Ankara Üniversitesi Hukuk Fakültesi Dergisi, 67, no. 2 (2018), 418, Accessed September 8, 2022, <https://dergipark.org.tr/en/download/articlefile/621190>; Ali Bal, "Kölelik, Zorla Çalıştırma ve Benzer Uygulamalara İlişkin Yasağın Uluslararası Hukuk ve AİHM İçtihatları Çerçevesinde Gelişimi," 62.

15 Ali Bal, "Kölelik, Zorla Çalıştırma ve Benzer Uygulamalara İlişkin Yasağın Uluslararası Hukuk ve AİHM İçtihatları Çerçevesinde Gelişimi," Yıldırım Beyazıt Hukuk Dergisi, no. 2 (2019), 61; United Nations International Law Commission, Draft Articles On The Law Of Treaties With Commentaries 1996. (2005), p. 261, Accessed September 7, 2022, Draft Articles on the Law of Treaties with commentaries, 1966.

16 Gül Akyılmaz, "Osmanlı Hukukunda Köleliğin Sona Ermesi ile İlgili Düzenlemeler ve Tanzimat Fermanı'nın İlanından Sonra Kölelik Müessesesi," Gazi Üniversitesi Hukuk Fakültesi Dergisi 9, no. 1-2 (2004): 216.

17 Walk Free Foundation, The Global Slavery Index 2018 (The Minderoo Foundation Pty Ltd., 2018), 7, Accessed April 4, 2022, <https://www.globallslaveryindex.org/resources/downloads/>.

18 WFF, Global Slavery Index 2018, 140-141.

19 Güler, "Modern Kölelik ve Modern Köleliğin Görünüşleri," 32-33; David K. Androff, "The Problem of Contemporary Slavery: an International Human Rights Challenge for Social Work," International Social Work 65, no. 2 (2010): 214-215 (cited in Güler, "Modern Kölelik ve Modern Köleliğin Görünüşleri," 32-33).

20 WFF, Global Slavery Index 2018, 140-141.

21 International Labor Organization (ILO), Global Estimates of Modern Slavery: Forced Labor and Forced Marriage (Geneva: ILO, 2022), 2.

22 Ibid., 13-15.

23 Erkan Duymaz, "Modern Kölelik: Avrupa Konseyi Hukukunda Kölelik, Kulluk ve Zorla Çalıştırma Yasakları Üzerine Bir İnceleme," 82. In his study, Erkan Duymaz extensively references judicial decisions. In relation to human trafficking, the case of *Rantsev v. Cyprus and Russia* (ECtHR, No. 25965/04, 7 January 2010) and regarding forced labor, the case of *Siliadin v. France* (ECtHR, No. 73316/01, 26 July 2005) serve as notable examples.

24 International Labor Organization, Guidelines Concerning the Measurement of Forced Labor, 20th International Conference of Labor Statisticians, Geneva, October 2018, 5.

25 Ibid., 5.

26 Ibid., 3-4.

27 Ibid., 8.

28 Yun Gao and Javier Varela, Hard to See, Harder to Count: Handbook on Forced Labor Surveys, 2024, 169.



As previously mentioned, the International Labor Organization (ILO) defines forced labor in Convention No. 29 as “all work or service exacted from a person under threat of penalty for which the person did not voluntarily offer.”²⁹ Although an explicit threat is not always evident, practices equivalent to such threats are also considered forced labor.³⁰

ECtHR adopts the ILO’s definition of forced or compulsory labor and explicitly underlines that the term “penalty” can take various forms. These include not only physical coercion

or restraint, but also more subtle psychological threats, such as reporting undocumented victims to the police or immigration authorities. In other words, according to the Court, the notion of “penalty” must be interpreted broadly to encompass both physical violence and psychological pressure.³¹ A well-known example of a broad interpretation occurred in the ECtHR’s ruling on *Siliadin v. France*.³²

Article 4 of the ECHR prohibits slavery, servitude, forced labor, and compulsory labor.

Article 4 - Prohibition of slavery and forced Labor

1. No one shall be held in slavery or servitude.

2. No one shall be required to perform forced or compulsory Labor.

3. For the purpose of this Article the term “forced or compulsory Labor” shall not include:

(a) any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;

(b) any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;

(c) any service exacted in case of an emergency or calamity threatening the life or well-being of the community;

(d) any work or service which forms part of normal civic obligations.

Article 4 of the ECHR refers to four concepts that have one thing in common: the situation in which an individual is forced to work for another person against their will. The article itself does not define these terms. Instead, the ECHR has developed definitions, often drawing from other international conventions with similar provisions, to clarify and concretize these concepts.³³

Forced or compulsory labor refer to work imposed on individuals without their consent through physical or emotional coercion. Numerous international instruments prohibit these practices, including the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, ILO Convention No. 29 on Forced or Compulsory Labor, ILO Convention No. 105 on the Abolition of Forced Labor, the European Convention on Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the European Social Charter. The prohibition of forced and compulsory labor is one of two articles in the ECHR, alongside freedom of association. This article contains a provision that is directly related to the right to work and ties together civil and political rights with economic and social rights.³⁴

Unlike slavery and servitude, the concepts of forced labor and compulsory labor do not refer to a person’s legal status or condition. Rather, these terms typically refer to situations in which work or services, usually temporary or incidental, are performed involuntarily or under coercion.³⁵

The case law developed under Article 4 of the Convention has largely focused on issues of forced or compulsory labor. In the early case law of the European Commission of Human



Rights, an approach was developed whereby two elements were required for the concept of forced or compulsory labor to arise: the work or service had to be performed “against the person’s will” (lack of consent), and the obligation had to be either “unjust or oppressive,” or its performance had to entail “an unavoidable hardship.” However, the European Court of Human Rights later underlined that the element of “consent” is relative and adopted an approach that takes into account all the circumstances of the particular case. The Court further emphasized that determining whether a given obligation amounts to forced or compulsory labor must be carried out in light of the objectives of Article 4 and with reference to the overall context of the case.³⁶

29 Convention concerning Forced or Compulsory Labor, Official Gazette, 23 June 1998, No. 23381.

30 ILO, *The Cost of Coercion* (International Labor Conference, 98th Session, Report I(B)) (Geneva: ILO, 2009), pp. 5–6, para. 24. Accessed September 8, 2022. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_106268.pdf.

31 C.N. and V. v France, No: 67724/09, 11 October 2012, para. 77.

32 *Siliadin v. France*, No. 73316/01, 26 July 2005. In this case, although the applicant was not subjected to an explicit threat of punishment, the European Court of Human Rights found that the applicant’s undocumented status in a foreign country and the associated fear of being apprehended constituted a form of coercion. The Court therefore ruled that the situation amounted to forced labor.

33 Emine Eylem Aksoy, “İnsan Hakları Avrupa Sözleşmesinin 4. Maddesi: Kölelik, Kulluk, Zorla Çalıştırma ve Zorunlu Çalışma Yasağı”, Atty. Dr. Şükrü Alpaslan Armağanı, İstanbul Barosu, Türk Ceza Hukuku Derneği, İstanbul, 2007, p. 116.

34 Virginia Mantouvalou, “Labor Rights in the European Convention on Human Rights: An Intellectual Justification for an Integrated Approach to Interpretation,” *Human Rights Law Review*, Volume 13, No. 3, 2013, p. 532, 537.

35 P. Van Dijk, G.J.H. Van Hoof, Arjen Van Rijn, Leo Zwaak, *Theory and Practice of the European Convention on Human Rights*, Intersentia, Antwerpen, Oxford, 2006, p. 444.

36 Ibid., 448–449; European Commission of Human Rights, *X v. the Federal Republic of Germany* (admissibility), Appl. no. 4653/70, Decision of 1 April 1974, Yearbook of the European Convention on Human Rights, vol. XVII (1974), 524; European Court of Human Rights, *Chowdury and Others v. Greece*, Appl. no. 21884/15, Judgment of 30 March 2017, para. 90; European Court of Human Rights, *Van der Mussele v. Belgium*, Appl. no. 8919/80, Judgment of 23 November 1983, para. 37; European Court of Human Rights, *Van der Mussele v. Belgium*, Judgment of 23 November 1983, Series A no. 70, paras. 32–38; see also Council of Europe, Guide on Article 4 of the European Convention on Human Rights (updated 2025), paras. 14–20.

NATIONAL AND INTERNATIONAL LEGAL FRAMEWORKS AGAINST FORCED LABOR

2.

2.1.

An Analysis Of
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NATIONAL AND INTERNATIONAL LEGAL FRAMEWORKS AGAINST FORCED LABOR

2.1. AN ANALYSIS OF INTERNATIONAL LEGAL STANDARDS AND REVIEW OF RELATED LEGAL FRAMEWORK

Forced labor is explicitly prohibited by international human rights law and labor standards. The international community has established legal mechanisms and regulatory frameworks to eliminate this inhumane practice. This section will first examine the international legal standards, regulations, and mechanisms concerning forced labor. Then, it will evaluate the legal framework and policies adopted by Türkiye.

2.1.1. INTERNATIONAL LABOR ORGANIZATION (ILO) CONVENTIONS AND STANDARDS

One of the most fundamental tools in the fight against forced labor are the conventions developed by ILO. The Forced Labor Convention (No. 29) defines forced labor as "all work or service exacted from a person under threat of penalty for which the person did not voluntarily offer." It obligates States Parties to develop policies and practices aimed at preventing forced labor. The convention aims to prohibit all forms of forced labor, including that imposed by state authorities.³⁷

The Abolition of Forced Labor Convention, 1957 (No. 105) explicitly bans the use of forced labor for purposes such as political coercion, punishment, or economic development.³⁸ Additionally, the Discrimination (Employment and

Occupation) Convention, 1958 (No. 111) addresses forced labor as a practice that is contrary to human dignity and a form of discrimination. This convention emphasizes the responsibilities of states and societies to combat such violations.³⁹

These ILO conventions guide States Parties in harmonizing their national legal frameworks. At the same time, they aim to strengthen international cooperation in preventing and detecting forced labor.

2.1.2. UNITED NATIONS (UN) RESOLUTIONS

The United Nations has played a significant role in expanding the legal framework against forced labor. The 1948 Universal Declaration of Human Rights explicitly prohibits slavery and forced labor, affirming that everyone has the right to freely choose their employment.⁴⁰ This declaration established a universal norm and laid the foundation for subsequent UN instruments on the issue.

The International Covenant on Civil and Political Rights (1966) also prohibits forced labor and servitude, though it allows for exceptions such as compulsory military service.⁴¹ This covenant establishes a binding legal framework for states to eliminate forced labor. Similarly, the International Covenant on Economic, Social, and Cultural Rights guarantees the right to work and establishes working conditions that respect human dignity.⁴²

These UN instruments play a central role in defining international norms and the legal responsibilities of states. Furthermore, they promote interstate cooperation aimed at eradicating forced labor on a global scale.

2.1.3. REGIONAL HUMAN RIGHTS MECHANISMS

Regional human rights mechanisms also provide an important legal framework for combating forced labor. The European Convention on Human Rights (ECHR) explicitly prohibits forced or compulsory labor, affirming that such practices are incompatible with human dignity.⁴³ However, the ECHR recognizes exceptions for situations such as compulsory military or public service performed pursuant to a court decision.

Similarly, the European Social Charter seeks to protect workers' rights and introduces provisions to combat exploitation in the workplace.⁴⁴ Other regional instruments, such as the American Convention on Human Rights⁴⁵ and the African Charter on Human and Peoples' Rights⁴⁶, contain comparable prohibitions, collectively offering a broad legal foundation against forced labor.

2.1.4. ECONOMIC AND COMMERCIAL REGULATIONS

Economic and trade regulations play a complementary role in preventing forced labor. The UN Guiding Principles on Business and Human Rights (2011) emphasize that businesses must respect human rights throughout their supply chains.⁴⁷ National legislation such as the UK Modern Slavery Act (2015) and the Australian Modern Slavery Act (2018) require businesses to report on their efforts to



Photo: Uyghurs working in a factory as part of the "Poverty Reduction Project" in East Turkistan.
Source: <https://www.voguebusiness.com/sustainability/eu-mandatory-due-diligence-legislation-uyghur-forced-labor-supply-chain>

combat forced labor.⁴⁸ In addition, instruments such as the U.S. Tariff Act prohibit the importation of products linked to forced labor, thereby introducing trade-based safeguards.⁴⁹

37 International Labor Organization (ILO), Forced Labor Convention, 1930 (No. 29).

38 International Labor Organization (ILO), Abolition of Forced Labor Convention, 1957 (No. 105).

39 International Labor Organization (ILO), Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

40 United Nations, Universal Declaration of Human Rights, 1948.

41 United Nations, International Covenant on Civil and Political Rights (ICCPR), 1966.

42 United Nations, International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966.

43 Council of Europe, European Convention on Human Rights (ECHR), 1950.

44 Council of Europe, "European Social Charter: Social and Economic Rights." <https://www.coe.int/en/web/european-social-charter>.

45 American Convention on Human Rights adopted November 22, 1969 and entered into force July 18, 1978.

46 African Charter on Human and Peoples' Rights, adopted June 27, 1981 and entered into force October 21, 1986.

47 United Nations, Guiding Principles on Business and Human Rights, 2011.

48 United Kingdom, Modern Slavery Act, 2015; Australia, Modern Slavery Act, 2018.

49 United States Customs and Border Protection (CBP), Trade Facilitation and Forced Labor Regulations: CBP Guidance.



Photo: Textile workers working in East Turkistan. Source: https://m.cnr.cn/news/20160927/t20160927_523164581.shtml

In recent years, governments and the private sector have intensified their efforts to combat forced labor. The United States and the European Union have imposed sanctions on products made with forced labor, and many countries have enacted domestic legislation aimed at eradicating modern slavery. For companies, auditing their supply chains and ensuring transparency has become essential to preventing forced labor.

The international legal standards outlined above are essential for protecting fundamental rights and ensuring working conditions that are consistent with human dignity. By delineating the responsibilities of states and the private sector, these standards provide a global framework for eliminating forced labor practices.

2.2. INTERNATIONAL EFFORTS IN COMBATING FORCED LABOR

Forced labor is one of the most serious human rights violations associated with modern trade and global supply chains. The international community is paying increasing attention to forced labor. This reality necessitates the development of more effective policies and comprehensive measures to prevent forced labor, involving both public authorities and the private sector.

In the United States, these efforts are rooted in the Tariff Act of 1930. Section 307 of the Act prohibits the importation of

goods produced through forced labor, and U.S. Customs and Border Protection (CBP) is responsible for enforcement. When forced labor is identified, CBP is authorized to detain the goods at the border. The Uyghur Forced Labor Prevention Act (2022) expanded these restrictions significantly by focusing on products linked to the forced labor of Uyghurs in East Turkistan, imposing stringent limitations on imports from China and aiming to eliminate all goods derived from forced labor from global supply chains.⁵⁰

Meanwhile, the European Union (EU) has taken steps toward a broader regulatory approach. In 2024, the EU adopted the EU Regulation on Products Made with Forced Labor, which bans the placement of such goods on the EU market entirely.⁵¹ The development of the regulation began with a 2022 proposal by the European Commission, prompted by extensive reports from international human rights organizations documenting forced labor practices in East Turkistan.⁵² The regulation applies to all products, regardless of origin, and prohibits their import, export, and sale within the EU if they are found to be produced through forced labor.

The EU regulation aims to promote transparent production processes, especially in high-risk sectors like cotton, electronics, and mining. The European Commission aims to create a database of high-risk products and regions.⁵³ This database will be made available to the national authorities of member states to guide them during investigations. Additionally, the regulation considers information sharing and cooperation mechanisms among member states to be key elements that strengthen its enforceability.⁵⁴ Products found to be produced through forced labor will be withdrawn from the market and, if necessary, destroyed.

As of 2022, it is estimated that 27.6 million people worldwide are subjected to forced labor. This equates to approximately 3.5 out of every 1,000 people globally working under these conditions. Of this total, 11.8 million are women and girls, and more than 3.3 million are children.⁵⁵ While most forced labor occurs in the private sector, a significant amount is imposed by public authorities. Approximately 3.9 million people, or 14% of the global total, are forced to work by state-imposed mechanisms.⁵⁶ The EU's regulation provides a significant legal and institutional foundation for more effective global action against these human rights abuses.

National laws play a crucial role in combating modern slavery. For example, the United Kingdom's Modern Slavery

Act of 2015 requires companies to report on the risks of forced labor in their supply chains.⁵⁷ Similarly, Australia's 2018 Modern Slavery Act imposes obligations on companies with an annual turnover exceeding 100 million Australian dollars to assess and report on these risks. Canada is also drafting similar legislation. The proposed legislation is expected to introduce comparable requirements and focus on identifying forced labor risks within national and international supply chains.⁵⁸

These developments aim to transform global trade into a system that responds more effectively to human rights issues. In this context, legal regulations and the growing emphasis on corporate responsibility in preventing forced labor are seen as essential elements in building a fairer global trading system.

2.3. LEGAL FRAMEWORK ON FORCED LABOR IN TÜRKİYE

As a country that adheres to international human rights norms, Türkiye has established a comprehensive legal framework that prohibits forced labor. This framework is supported by key legal instruments, including the Constitution, the Turkish Penal Code (TPC), and the Labor Act. However, to effectively implement these regulations, gaps in enforcement must be addressed and oversight mechanisms must be strengthened.

The prohibition of forced labor is explicitly stated in Article 18 of the Constitution of the Republic of Türkiye: "No one shall be forced to work. Forced labor is prohibited."⁵⁹ This article defines forced labor as a direct violation of human rights and provides a legal foundation that is consistent with international norms to which Türkiye is a party. While the Constitution offers a general framework against forced labor, its enforcement is further detailed in the Turkish Penal Code and other secondary legislation.

Article 117 of the Turkish Penal Code imposes severe criminal sanctions for crimes such as forced labor and human trafficking.⁶⁰ This article prescribes aggravated imprisonment for violations of the right to work and serves as a deterrent, particularly against cases of forced labor through human trafficking.

50 U.S. Congress, Uyghur Forced Labor Prevention Act, Public Law No. 117-78, 2021. <https://www.congress.gov/bills/117th-congress/house-bill/1155/text>

51 European Commission, Proposal for a Regulation on Forced Labor-Free Products, 2022. Accessed December 2024. <https://ec.europa.eu>.

52 Human Rights Watch, EU Adopts New Regulation to Curtail Forced Labor, November 19, 2024. <https://www.hrw.org/news/2024/11/19/eu-adopts-new-regulation-on-curtail-forced-labor>

53 European Council, Products Made with Forced Labor: Council Adopts Ban, November 19, 2024. <https://www.consilium.europa.eu/en/press/press-releases/2024/11/19/products-made-with-forced-labor-council-adopts-ban/>

54 Ibid., 25.

55 Global Estimates of Modern Slavery, 2022, 2

56 Ibid., 25.

57 UK Government, Modern Slavery Act 2015. Accessed December 2024. <https://www.legislation.gov.uk/ukpga/2015/30/contents>

58 Canadian Parliament, Bill S-211, Fighting Against Forced Labor and Modern Slavery Act, 2022. Accessed December 2024. <https://www.parl.ca/legisinfo/en/bill/44-1/s-211>

59 Türkiye Cumhuriyeti Anayasası. "Madde 18: Zorla Çalıştırma ve Angarya Yasağı."

60 Türk Ceza Kanunu (TCK). "Madde 117: İş ve Çalışma Hürriyetinin İhlali." Resmi Gazete, 12 October 2004.

The Labor Act No. 4857, which regulates working life in Türkiye, includes key provisions that guarantee equality and freedom for workers. Article 5 requires employers to treat employees equally and indirectly prohibits forced labor.⁶¹ Additionally, supplementary regulations have been introduced to protect high-risk groups, such as seasonal agricultural workers.

Due to the high risk of forced labor among irregular migrants, Türkiye has developed legal provisions aimed at protecting migrant workers. Law 6458 on Foreigners and International Protection (LFIP) allows for the issuance of work permits and regularizes the legal status of migrant workers.⁶² However, due to the prevalence of the informal economy, these provisions have not been effective enough in practice, leaving migrant workers vulnerable to forced labor.

2.3.1. TÜRKİYE AND INTERNATIONAL HUMAN RIGHTS STANDARDS

In its commitment to adopting and implementing international human rights standards, Türkiye has ratified numerous key international treaties. Notably, in the context of preventing forced labor, Türkiye's ratification of the International Labor Organization's (ILO) Forced Labor Convention (No. 29) and the Abolition of Forced Labor Convention (No. 105) demonstrates its acceptance of international norms.⁶³ These conventions prohibit all forms of forced labor and require state parties to align their national legislation with these prohibitions. Although Türkiye has enacted regulations reflecting these norms, challenges such as informal employment and weak enforcement mechanisms have hindered the full realization of these commitments in practice.

Türkiye is also a party to key international human rights instruments, such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR), which define forced labor as contrary to human dignity and require state parties to prevent it.⁶⁴ Additionally, the United Nations Guiding Principles on

Business and Human Rights emphasize the private sector's responsibility to identify and prevent forced labor,⁶⁵ yet the level of corporate compliance with these obligations in Türkiye remains limited.

The European Convention on Human Rights (ECHR) is another key regional instrument that explicitly prohibits slavery and forced labor. Article 4 of the ECHR provides a firm prohibition against such practices. As a state party to the ECHR, Türkiye has aligned its domestic legislation with these principles.⁶⁶ Nevertheless, rulings by the European Court of Human Rights (ECtHR) have criticized Türkiye for shortcomings in implementation, particularly regarding deficiencies in monitoring and enforcement mechanisms.⁶⁷

The European Social Charter, to which Türkiye is also a party, not only explicitly prohibits forced labor but also aims to secure the social and economic rights of workers. Türkiye's commitment to this instrument provides a framework for improving both its legal framework and its practical measures in combating forced labor.⁶⁸

2.3.2. PRACTICES AND MEASURES IN TÜRKİYE

In Türkiye, the forced labor of seasonal workers, especially those in agriculture, remains a major concern. In response, the government has launched various initiatives to address this issue. One such initiative is the Elimination of Child Labor in Seasonal Agriculture project, implemented to prevent child labor.⁶⁹ Additionally, through the Employment Incentive Program, the government aims to improve working conditions and ensure the rights of seasonal laborers.⁷⁰

To detect and prevent violations in the labor market, inspections are carried out by the Ministry of Labor and Social Security.⁷¹ These inspections seek to identify cases of forced labor and other breaches of workers' rights. However, to fully comply with its obligations under ILO Convention No. 29 on Forced Labor and Convention No. 105 on the Abolition of Forced Labor, Türkiye must further strengthen its inspection mechanisms.

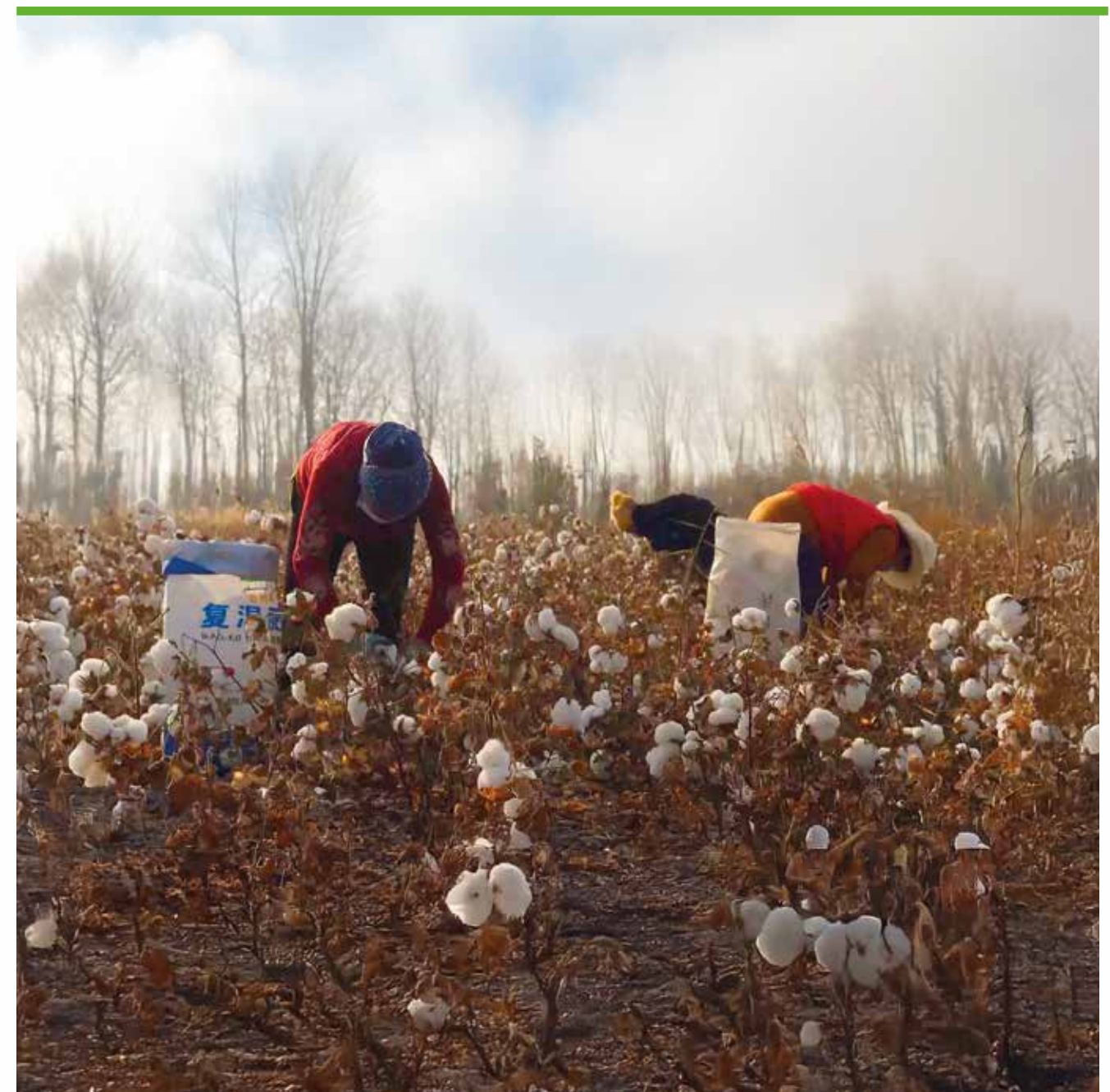


Photo: <https://www.bbc.com/turkce/haberler-dunya-55314942>

Türkiye also participates in international cooperation projects to address forced labor. For instance, through ILO's International Programme on the Elimination of Child Labor and Forced Labor (IPEC+), the country is making efforts to prevent seasonal child labor.⁷² These projects provide a critical foundation for eliminating child labor, especially in high-risk sectors such as agriculture.

Protecting migrant workers is another pressing issue that Türkiye needs to address on national and international levels. As a host to large numbers of vulnerable groups,

particularly Syrian refugees, Türkiye faces an elevated risk of forced labor within these populations. Although the government introduced work permits under Law 6458 on Foreigners and International Protection (LFIP)⁷³ to provide migrant workers with legal protection, the widespread prevalence of informal employment significantly limits the effectiveness of these measures. Protecting migrant workers should be considered part of Türkiye's international obligations stemming from its ratification of ILO conventions.

61 4857 Sayılı İş Kanunu. "Madde 5: Eşit Davranma İlkesi." Resmi Gazete, 22 May 2003.

62 Yabancılar ve Uluslararası Koruma Kanunu (YUKK). "Çalışma İzni ve Düzenlemeleri." Resmi Gazete, 11 April 2013.

63 The International Labor Organization, country profiles, 2024. https://normlex.ilo.org/dyn/normlex_en/?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102893

64 Ministry of Foreign Affairs, Republic of Türkiye, Human Rights, 2024, accessed December 2024, https://www.mfa.gov.tr/humanrights_en.mfa.

65 United Nations Development Programme (UNDP). United Nations Guiding Principles on Business and Human Rights and The Corporate Responsibility to Respect Human Rights: An Interpretive Guide. June 23, 2023. <https://www.undp.org/turkiye/publications/united-nations-guiding-principles-business-and-human-rights-and-corporate-responsibility-respect-human-rights-interpretive-guide>

66 MFA, Republic of Türkiye, Human Rights.

67 See European Court of Human Rights, Judgment in Zengin v. Turkey, Application No. 53067/00, 9 January 2008.

68 Council of Europe, "European Social Charter."

69 International Labor Organization (ILO). Child Labor Elimination Programme. Accessed at: <https://www.ilo.org/projects-and-partnerships/projects/child-Labor>

70 Türkiye Cumhuriyeti Çalışma Genel Müdürlüğü. Mevsimlik Tarım İşçileri ve Ailelerinin Yaşam Koşullarını İyileştirmeye Yönelik Faaliyetlerin 2021 Yılı Planlama Çalışmalarına Başlandı. 25 March 2021. <https://www.csgeb.gov.tr/cgm/haberler/mevsimlik-tarim-iscileri-ve-ailelerinin-yasam-kosullarini-iyilestirmeye-yonelik-faaliyetlerin-2021-yili-planlama-calismalarina-baslandi/>

71 Türkiye Cumhuriyeti Çalışma Genel Müdürlüğü. Çalışma Hayatına İlişkin Ulusal Rehber İlkeler. Accessed December 2024. https://www.csgeb.gov.tr/media/92449/calisma-hayatina-iliskin-ulusal-rehber_ilkeler.pdf

72 International Labor Organization. Child Labor. 2024. <https://www.ilo.org/projects-and-partnerships/projects/child-Labor>

73 Türkiye Cumhuriyeti İçişleri Bakanlığı Uluslararası İşgücü Genel Müdürlüğü. Çalışma İzni Değerlendirme Kriterleri. Accessed December 2024. <https://www.csgeb.gov.tr/uigm/calisma-izni/calisma-izni-degerlendirme-kriterleri/>

CHINA'S POLICIES AND **FORCED LABOR** **MECHANISMS** IN EAST TURKISTAN

3

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CHINA'S POLICIES AND FORCED LABOR MECHANISMS IN EAST TURKISTAN

3.1. CHINA'S POLITICAL ATTITUDE ON EAST TURKISTAN

China's policies in East Turkistan stem from a blend of historical, ideological, economic, and geopolitical motivations. These policies are based on a comprehensive strategy of repression and assimilation that targets the region's ethnic Uyghur population and other Turkic peoples. Such policies are implemented to ensure national security, achieve economic development goals, and alter the region's demographic structure.

3.1.1. HISTORICAL AND IDEOLOGICAL BACKGROUND

Historical Perceptions

East Turkistan's strategic geopolitical location has historically resulted in a tense and conflict-ridden relationship with China. Uprisings and independence movements in the region have further fueled this conflict.

East Turkistan, encompassing approximately 1,828,418 km² (according to Chinese sources, 1,665,000 km²), remains under the control of the People's Republic of China. Recognized by many as the historical homeland of Turkic peoples, the region was named "Xinjiang," which means "New Frontier" or "Newly Acquired Territory," by the Manchu Qing dynasty in November 1884.⁷⁴ Before this designation, the name "Xinjiang" did not appear in either local or foreign sources. In 1878, with support from Tsarist Russia, the Qing Empire reasserted control over the region by toppling the independent state of Kashgaria led by Atalik Ghazi Yakub Beg. Subsequently, the Qing administration established the so-called "Xinjiang Province." Despite this, the local population mounted significant resistance, managing to establish two short-lived independent states under the name "East Turkistan" in 1933 and 1944.⁷⁵

However, both states were eventually dismantled under pressure from Chinese and Russian forces. Following the Communist takeover of China in 1949, East Turkistan was formally incorporated into the People's Republic of China. In 1955, it was officially designated as the "Xinjiang Uyghur Autonomous Region."⁷⁶

This marked the beginning of China's intensified efforts to consolidate control over the region's fertile lands and rich natural resources while also implementing systematic Sinicization policies. These policies included state-orchestrated migration of Han Chinese settlers, the expansion of surveillance networks, and stringent security measures that severely restricted the local population's contact with the outside world. Consequently, the region has experienced widespread violations of fundamental human rights, contributing to growing international concern about the situation in East Turkistan.⁷⁷

Ideological Objectives

The Chinese Communist Party (CCP) has pursued a vision of national unity framed within the concept of a unitary nation-state, aiming to eliminate ethnic distinctions and integrate all populations into the dominant Han Chinese cultural identity. In this framework, Uyghur Turks and other ethnic groups have been the primary targets of ideological assimilation policies.



According to China's ethnic policy, Han Chinese are regarded as the founding ethnic group of the nation, while all other ethnic groups are categorized as "minority nationalities." Unlike in many Western contexts where nationality is often equated with citizenship, in China, nationality is perceived more as a cultural identity rather than a political one.⁷⁸ While all ethnic groups are, in theory, granted equal citizenship, the implementation of state policy often reveals a significant disparity in treatment. In practice, the Uyghur, Tibetan, and Mongolian populations have been subjected to policies widely considered coercive and assimilatory.⁷⁹

In China, the concept of the civilizational state emphasizes that nationalities can be reconciled without reference to the right to self-determination. China approaches the principle of self-determination with a stance against the creation of new states for stateless nations due to its sensitivities in problematic regions such as Tibet and East Turkistan. For this reason, China's foreign policy firmly opposes independence movements and characterizes uprisings in East Turkistan, Tibet, and Inner Mongolia as separatism.⁸⁰

3.1.2. SECURITY AND REPRESSION POLICIES

China frequently employs the rhetoric of counterterrorism to legitimize its policies in East Turkistan. While its official cultural policy is framed around the principles of equality and harmony, unofficial practices, particularly since the 1980s, have increasingly focused on the assimilation of large ethnic minority populations in East Turkistan, aiming to establish the dominance of Han Chinese culture. These assimilationist policies are particularly evident in the enforcement of official language mandates and cultural repression in border regions. Since 2001, international media outlets have drawn attention to these practices, often interpreting the resulting tensions as consequences of deep-rooted cultural differences. In contrast, Chinese state media has consistently framed these incidents within the broader context of international terrorism. Additionally, as Dwyer highlights, Uyghurs point out the 44 nuclear tests conducted 265 kilometers southeast of Urumqi between 1964 and 1996 as an indication of Chinese persecution.⁸¹

Camp Systems

China has constructed a system of so-called "re-education centers," which in practice function as detention camps. According to numerous international reports, millions of Uyghurs have been forcibly detained in these facilities, subjected to ideological indoctrination, and exposed to acts of torture and inhumane treatment.

In 2017, the autonomous administration in East Turkistan issued Xinjiang Uyghur Autonomous Region Regulation on De-extremification to enforce compliance with increasingly restrictive policies limiting religious freedom. Under this regulation, many Islamic practices that should be protected as part of the right to religious freedom are instead labeled as early indicators of extremism.⁸² Based on this regulation, large numbers of Muslim Turks have been detained in facilities officially named "Vocational Education and Training Centers" by the Chinese government. Various reports issued by international organizations and civil society groups indicate the scale of these detentions.⁸³ Systematic human rights abuses within the camps have been documented by reputable organizations such as

74 Baymirza Hayit, *Türkistan Devletlerinin Milli Mücadeleleri Tarihi*, Series 7, No. 161 (Ankara: Türk Tarih Kurumu Yayınları, 1995).

75 Abdülhaluk Çay, "Doğu Türkistan Türk Cumhuriyeti," in *Tarihte Türk Devletleri-II* (Ankara: Ankara Üniversitesi Rektörlüğü Yayınları, 1987), 98.

76 Hidayet Oğuzhan, *Doğu Türkistan: Esaret ve Zulmün Gerçek Yüzü* (İstanbul: Rumuz Yayınları, March 2018), 46.

77 Nureddin İzbasar, *Doğu Türkistan Raporu: Geçmişten Bugüne Dinî ve Etnik Baskılar, Araştırma 119* (İstanbul: İNSAMER, July 2020).

78 Abanti Bhattacharya, "Conceptualising Uyghur Separatism in Chinese Nationalism," *Strategic Analysis* 27, no. 3 (July–September 2003): 364.

79 Human Rights Watch (HRW), *World Report 2013: Events of 2012* (New York: Human Rights Watch, 2013). https://www.hrw.org/sites/default/files/wr2013_web.pdf

80 Barış Adıbelli, *Osmanlıdan Günümüze Türk-Çin İlişkileri* (İstanbul: IQ Yayıncılık, 2007), 290.

81 Arianne M. Dwyer, *The Xinjiang Conflict: Uyghur Identity, Language Policy, and Political Discourse*, East-West Center Working Papers, no. 1 (2004), accessed September 18, 2025, <http://www.eastwestcenter.org/sites/default/files/private/EWCWwp001.pdf>.

82 World Uyghur Congress (WUC), *2016 Human Rights Situation*, pp. 11-12.

83 In 2014, the Chinese government began establishing political indoctrination camps under the name "Re-education Centers." This process accelerated in 2016 following the appointment of Chen Quanguo as the Communist Party Secretary of East Turkistan, leading to an increase in both the number and operational capacity of these camps. For further information, see: Lindsay Maizland, "China's Repression of Uyghurs in Xinjiang," Council on Foreign Relations, June 30, 2020; Maya Wang, "More Evidence of China's Horrific Abuses in Xinjiang," Human Rights Watch, February 20, 2020; Philip Wen and Olzhas Auyezov, "Tracking China's Muslim Gulag," Reuters, November 29, 2018; Adrian Zenz, "Xinjiang's Re-education and Securitization Campaign: Evidence from Domestic Security Budgets," The Jamestown Foundation, November 5, 2018; Chun Wong, "China's Hard Edge: The Leader of Beijing's Muslim Crackdown Gains Influence," *The Wall Street Journal*, April 7, 2019.

Amnesty International and Human Rights Watch.⁸⁴ These reports highlight the widespread use of arbitrary detention, forced indoctrination, and physical and psychological abuse, constituting severe violations of international human rights norms.

Digital Surveillance and Control

East Turkistan is one of the regions where facial recognition systems, DNA data collection, and mass digital surveillance technologies are applied most intensely. These systems continuously monitor individuals' actions and interactions.

To oversee, regulate, and control citizens' online activities, the Chinese government established the Cyberspace Administration of China (CAC).⁸⁵ According to Amnesty International, under the pretext of national security, the People's Republic of China keeps dissidents, minorities, and workers under constant surveillance using advanced technological capabilities.⁸⁶ Companies or institutions that act contrary to the Chinese government's monitoring and control mechanisms have often fallen victim to its repressive regime.

The digital surveillance implemented in East Turkistan is a continuation of China's long-standing state repression and the Chinese Communist Party's security policies.⁸⁷ The government systematically deploys repressive control mechanisms and surveillance technologies particularly in its Muslim-majority western regions. In East Turkistan, digital surveillance is the primary tool used for social engineering, forcing individuals to adhere to the state's ideology.⁸⁸

3.1.3. CULTURAL AND RELIGIOUS ASSIMILATION

Restrictions on Religious Freedoms

The religious freedoms of the Uyghur people have been severely curtailed. Mosques have been demolished, religious symbols and practices have been banned, and specific religious practices, such as fasting during the holy month of Ramadan, are strictly prohibited.

In its 2024 report titled Religious Repression in East Turkistan: Islamophobia and Sinicization of Islam, documents the Chinese government's systematic religious persecution of

Uyghur Muslims. Since the early 2000s, according to the report, Chinese authorities have confiscated and destroyed religious texts published in the Uyghur language, imposed strict prohibitions on Islamic wedding and funeral rituals, and required state permission for participation in the Hajj pilgrimage—permissions that have disproportionately been restricted for Uyghurs. The report also reveals that Uyghur parents have been prohibited from naming their children with Islamic names, that religious activities within mosques are under constant surveillance, and that religious education has been deemed illegal. The report characterizes these policies as part of an assimilation strategy aimed at eradicating the religious identities of the Uyghurs.⁸⁹

On September 1, 2023, the Chinese Communist Party (CCP) passed Law No. 19, which increased the CCP's control over religious institutions in occupied regions such as Tibet, East Turkistan, and Inner Mongolia. This new law replaced previous regulations and introduced stricter rules regarding the formation and management of religious organizations.⁹⁰

The law aims to align all religious groups and places of worship with the CCP's ideology. However, the law has been heavily criticized both domestically and internationally for contradicting constitutional guarantees of religious freedom. Experts view this legislation as a critical element of China's broader "Sinicization" policy and a tool for religious persecution. These developments are seen as part of China's broader effort to reshape the religious, cultural, and social fabric of the regions under its control.⁹¹

Language and Cultural Policies

In East Turkistan, laws restricting the use of local languages such as Uyghur Turks are actively enforced. Mandarin Chinese has been made compulsory in education, and Uyghur cultural heritage is being systematically erased.

In 1950, the People's Government of Xinjiang introduced Mandarin into the curriculum of schools in East Turkistan. By 1959, a mandatory Chinese preparatory program had been implemented in all higher education institutions in the region. In 1964, a bilingual education policy was introduced in secondary schools and piloted in a few schools in northern East Turkistan. However, during the Cultural Revolution that began in China in 1966, all schools in East Turkistan were shut down. When the Cultural Revolution ended in 1976, Chinese was reintroduced into



Photo: <https://wx1.sinaimg.cn/mw690/820887e2gy1fzaycdjus5j20rs0f1e4n.jpg>

the school curriculum. On September 12, 1985, it became a compulsory course in all primary schools.⁹² Although initially included as a mandatory language course, education policy gradually shifted toward dominance of Mandarin despite the official announcement of a "bilingual education" policy. This shift included making Mandarin the primary language of instruction, removing the Uyghur language from university-level instruction, reducing the Uyghur language to the status of a second language, eliminating Uyghur language courses entirely, and effectively banning its use. During this process, both the Uyghur and Kazakh languages were purged from the education system. Successful students were sent to boarding schools in inner China, where they were raised cut off from their native languages. Meanwhile, Mandarin was promoted as the primary language for all public and social interactions. This resulted in the marginalization and eventual prohibition of the Uyghur language.⁹³

From early childhood, students are subjected to ideological and political instruction at every stage of formal education. These lessons are framed as instilling correct thinking, providing guidance to follow the right path, promoting moral character development, and strengthening education in line with core socialist values.⁹⁴

Children whose parents have been detained or sent to reeducation camps are forcibly separated from their families and placed in state-run orphanages and boarding schools

under the guise of "state protection." In these institutions, children are deliberately alienated from their religious beliefs and ethnic identities. Instead, they are indoctrinated with atheism and Han Chinese cultural norms.⁹⁵

Andican has noted that these assimilation efforts intensified with the onset of the Cultural Revolution in 1964.⁹⁶ He highlights the state-sponsored migration of Han Chinese settlers into the region, which led to a drastic demographic shift. Between the 1940s and 1980s, the Han population in East Turkistan reportedly increased 26-fold. Andican states that the Han Chinese population surged from 300,000 in 1953 to six million by the 1990s. By 2000, the Han Chinese constituted 41% of the region's population, putting intense pressure on native languages and cultures.⁹⁷

Intervention in Family Structure

Uyghur children are being forcibly separated from their families and placed in state-controlled boarding schools, where they are raised under Chinese ideological instruction.

Even in preschool, teaching in native languages, such as Uyghur, is rapidly decreasing. Additionally, China has implemented initiatives such as "minority student classes" in western regions under the pretext of providing aid. Although this project initially promised benefits for indigenous communities, children are selected at a young age and sent to boarding schools far from home, where

⁸⁴ For the mentioned reports, see: AI, *China: Where*; HRW, *a.g.e.* For detailed analyses of the violations from a Uyghur-focused perspective, also see: WUC, *2016 Report*; WUC, *2016 Human Rights Situation*; WUC, *Internment Camps*, WUC Publication Office, Munich, 2020.

⁸⁵ Roberts, Margaret. *Censored: Distraction and Diversion Inside China's Great Firewall*. Princeton University Press, 2018.

⁸⁶ Amnesty International. "The State of Global Human Rights." Amnesty International, February 22, 2018.

⁸⁷ Salutin, Gideon. "Arendt's Algorithm: AI's Disenfranchising Effect On Refugees As Examined Through China's Uighur Population." *The McGill Journal of Refugee and Migration Studies*, no.1, 2020, pp.1-22.

⁸⁸ Human Rights Watch, "China: UN Needs to Address Crimes Against Humanity," August 27, 2024, accessed December 2024, <https://www.hrw.org/news/2024/08/27/china-un-needs-address-crimes-against-humanity>.

⁸⁹ East Turkistan Human Rights Watch Association (ETHR), *Religious Repression in East Turkistan: Islamophobia and the Sinicization of Islam (2024)*, 12-14, accessed December 2024, <https://ethrw.org/raporlar/dogu-turkistanda-dini-baski-raporu/>.

⁹⁰ Central Tibetan Administration, "China's Order Number 19 Escalates Its Continuous Religious Repression in Tibet," Accessed January 3, 2025, <https://tibet.net/chinas-order-number-19-escalates-its-continuous-religious-repression-in-tibet/>; The Japan Times, "China's New Law on Religion: A Great Leap Backward," November 13, 2023, accessed December 2024, <https://www.japantimes.co.jp/commentary/2023/11/13/world/china-religious-activity-law-repression/>.

⁹¹ The Japan Times, "China's New Law on Religion," November 13, 2023.

⁹² Erkin Emet, "Doğu Türkistan'da Çift Dilli Eğitim," (paper presented at the 38. Uluslararası Asya ve Kuzey Afrika Çalışmaları Kongresi, Ankara, September 10-15, 2007).

⁹³ East Turkistan Human Rights Watch Association (ETHR), *5 July Urumqi Massacre Report: The Road from Massacre to Genocide (July 2021)*, 3-4.

⁹⁴ The Publicity Department of the CPC Central Committee and the Ministry of Education, "Issuance of the Implementation Plan for the Reform and Innovation of Ideological and Political Theory Courses in Schools in the New Era," December 22, 2020, http://www.moe.gov.cn/srcsite/A26/jcj_kcjcgh/202012/t20201231_508361.html.

⁹⁵ Khaled A. Beydoun, "For China, Islam Is a 'Mental Illness' That Needs to Be 'Cured'," *Al Jazeera*, November 28, 2018, <https://www.aljazeera.com/opinions/2018/11/28/for-china-islam-is-a-mental-illness-that-needs-to-be-cured>.

⁹⁶ A. Ahat Andican, *Osmanlıdan Günümüze Türkiye ve Orta Asya* (İstanbul: Doğan Yayıncılık, 2009).

⁹⁷ Dwyer, "The Xinjiang Conflict," 2005.



they are completely cut off from their native cultures.⁹⁸ These practices have accelerated the assimilation and indoctrination of children into Chinese culture.

3.1.4. POPULATION POLICIES

The Chinese government encourages Han Chinese settlement in East Turkistan, which has led to a demographic shift that disadvantages the Uyghur population.

According to data provided by Stanley Toops, the Uyghur population was 4.87 million in 1953, accounting for 75% of the region's total population. Meanwhile, the Han Chinese population accounted for only 6%. By 1964, the Uyghur population had grown to 7.44 million, comprising 54% of the total population. Whereas, the Han Chinese population

share had risen to 33%. Following economic reforms, the region's population increased to 13.08 million. Uyghurs made up 46% of this population, while Han Chinese made up 40%. The 2000 census estimated the total population at 18.46 million, 45.21% of whom were Uyghur and 40.57% of whom were Han Chinese. By 2008, Uyghurs constituted 46.1% of the population, while Han Chinese made up 39.2%.⁹⁹

According to the 2010 census in East Turkistan, Uyghurs still held a slight majority at 45.84%, while Han Chinese made up 40.48%. Other ethnic groups, including Kazakhs, accounted for 11.01% of the population.¹⁰⁰

A review of the region's demographic characteristics reveals a systematic migration movement from China into East Turkistan after the occupation. The underlying aim of this migration has been to assimilate the region and its native population, establish a dominant Han Chinese presence, and thus ensure demographic superiority in favor of the Chinese state. Reducing the Uyghur population to a minority is seen as a strategy to facilitate greater administrative control over the region.¹⁰¹

China encourages Han Chinese to settle in the region by providing job security and high salaries, as well as making concessions on the one-child policy. Meanwhile, Uyghurs' commercial activities are hampered.¹⁰² Additionally, through policies such as agricultural development and migrant protection, the state supports migration flows that prioritize the resettlement of Han Chinese in East Turkistan's most fertile lands, while displacing local populations to arid areas. The demolition of old, historic neighborhoods in Kashgar and the banning of the Uyghur language in schools are also viewed as part of broader efforts to erase Uyghur cultural identity.¹⁰³

3.2. THE ISSUE OF FORCED LABOR

Forced labor is defined not only as compelling individuals to work against their will, but also as a coercive mechanism shaped by state policies, private-sector practices, and the collaboration between the two. As seen in East Turkistan, such practices manifest in many sectors, including agriculture, industry, international supply chains, and regional infrastructure projects. While state-sponsored programs involve coercive labor transfers or labor exploitation in concentration camps, the private sector is also part of this system to obtain cheap labor. This multifaceted structure shows that forced labor profoundly

affects the global economy and is closely tied to systematic human rights violations. Understanding how forced labor policies are implemented across sectors and social levels in East Turkistan requires concrete examples and research.

It has been documented that hundreds of Uyghur prisoners in East Turkistan's Keriya Prison are subjected to forced labor. Under the surveillance of armed guards, prisoners work 12 to 14 hours a day in jujube orchards and cement, shoe, glove, and tea factories, providing a source of cheap labor. This practice aims not only at economic gain, but also at ideological transformation. Although the Chinese government officially abolished the "reform through labor" system in 1994, such policies continue to be implemented in East Turkistan.¹⁰⁴

Since 2005, the Chinese government has initiated state-mandated labor transfers under the pretext of "labor surplus" in East Turkistan. Young people, particularly from regions such as Kashgar, Hotan, and Aksu, have been forcibly sent to factories in inland Chinese provinces. Families who resisted sending their children were subjected to coercion, including threats of land confiscation. Tens of thousands of young women, in particular, were compelled to work in factories in Shandong, Beijing, and Tianjin. These policies appear to serve demographic objectives as well, aiming to alter the demographic structure of East Turkistan by removing young, unmarried women from their communities and encouraging their relocation to inland Chinese provinces.¹⁰⁵

In his 2023 research, Adrian Zenz analyzes how coercive labor transfers under China's "poverty alleviation" policy reinforce social control mechanisms. His research reveals that between 2017 and 2019, these labor transfers intensified and, by 2021, became institutionalized as a permanent tool of repression. The policies reflect the Chinese government's framing of Uyghur unemployment as a matter of "social stability and national security."¹⁰⁶

A report by Sheffield Hallam University revealed that clothing products made with forced Uyghur labor have entered European Union (EU) markets, implicating major brands such as **Zara**, **Next**, and **Prada**. While the United States has enacted legislation banning imports produced through forced labor, the report criticizes the EU for its lack of similar measures, prompting calls for stricter regulations in Europe.¹⁰⁷

Forced labor in East Turkistan extends beyond the textile industry into sectors such as seafood and mining. A joint investigation by The Outlaw Ocean Project and The New Yorker reported that Uyghurs are being forced to work in China's seafood industry, with the products being exported to the United States. Meanwhile, the "Fractured Veins" report by C4ADS shows how the mining sector in East Turkistan is integrated into global supply chains through forced labor.¹⁰⁸

The growth of the seafood industry in East Turkistan raises concerns about forced labor. Recent allegations of forced labor at the Nanping Reservoir and in local ponds demonstrate the unethical practices within this industry.¹⁰⁹

3.3. INTERNATIONAL RESPONSES TO CHINA'S FORCED LABOR POLICIES

The Uyghur Rights Advocacy Project and the Human Rights Action Group have called on the Canadian government to impose sanctions on seven Chinese companies involved in the seafood industry that have been found to use forced Uyghur labor. Investigations reveal that these companies operate under harsh conditions and engage in forced labor practices, highlighting the need for stricter inspection of products entering the Canadian market.¹¹⁰

The United States enacted the Uyghur Forced Labor Prevention Act (UFLPA) to prohibit the importation of goods produced through forced labor in East Turkistan. However, reports indicate that China has attempted to circumvent these restrictions by using neighboring countries like Vietnam to disguise the origin of products, particularly in the cotton and garment sectors. Experts stress the need for the U.S. to adopt more effective countermeasures against these tactics.¹¹¹

A survey of US and global retailers reveals that banned Chinese cotton is still circulating in supply chains. Of the 822 products tested, 19% contained cotton produced in East Turkistan, and 57% of these products were labeled only with a US origin label. The report indicates that cotton

98 Sainati Abulaiti, Çin'de Azınlıklar ve Azınlık Eğitimi (Master's thesis, Yıldız Teknik Üniversitesi, Sosyal Bilimler Enstitüsü, 2009).

99 Stanley Toops, "Demographics and Development in Xinjiang after 1949," East-West Center Working Papers, no. 1 (2004). Accessed December, 2024, <http://www.eastwestcenter.org/sites/default/files/private/EWCWwp001.pdf>.

100 Gül Şerbet Acet İnce, "Çin'in Vahşi Yüzü: Doğu Türkistan Zulmü ve Uluslararası Toplumun Sorumlulukları," Avrasya Sosyal ve Ekonomi Araştırmaları Dergisi 6, no. 4 (2019): 572-584.

101 Yusuf Sayın ve Gülay Koçak, "Müslüman Dünyanın Bir Sorun Alanı Olarak Doğu Türkistan Meselesi ve Çin Halk Cumhuriyeti'nin İzlediği Politikalar," Journal of Ottoman Civilization Studies 3, no. 4 (2017): 10-27.

102 Hasan Bilgin, Stratejik Açından Çin (Ankara: USAK Yayınları, 2010), 188.

103 Raphael Israeli, "China's Uyghur Problem," Israel Journal of Foreign Affairs 4, no. 1 (2010): 89-101, <https://doi.org/10.1080/23739770.2010.11446403>.

104 Radio Free Asia, "Uyghur Prison Labor Persists Despite China's Claims of Reform," Radio Free Asia, October 13, 2023, <https://www.rfa.org/english/news/uyghur/prison-labor-10132023170439.html>.

105 ETHR, 5 Temmuz Urumçi Katiımı Raporu, 2-3.

106 Adrian Zenz, "The Conceptual Evolution of Poverty Alleviation through Labor Transfer in the Xinjiang Uyghur Autonomous Region," Central Asian Survey, 2023, DOI: 10.1080/02634937.2023.2227225.

107 The Guardian, "Substantial Volume of Clothing Tied to Uyghur Forced Labor Entering EU, Says Study," December 6, 2023, <https://www.theguardian.com/world/2023/dec/06/substantial-volume-of-clothing-tied-to-uyghur-forced-labor-entering-eu-says-study-china>

108 RTV Online, "Vietnam Overtakes China as Largest Exporter of Goods Made with Uyghur Forced Labor," Accessed December 2024, https://www.rtvonline.com/english/international/13553#google_vignette

109 ECNS, "Landlocked Xinjiang Cashes in on Aquatic Products," April 1, 2024, accessed December 2024, <https://www.ecns.cn/m/business/2024-04-01/detail-ih-czemzi6542489.shtml>.

110 The Globe and Mail, "Federal Government Urged to Take Action Against Eight Chinese Seafood Companies," accessed December 2024, <https://www.theglobeandmail.com/canada/article-federal-government-urged-to-take-action-against-eight-chinese-seafood/>.

111 VOA News, "Vietnam Overtakes China as Largest Exporter of Goods Made with Uyghur Forced Labor," November 2024, <https://www.voanews.com/a/viet-nam-overtakes-china-as-largest-exporter-of-goods-made-with-uyghur-forced-labor/7466067.html>.



Photo: Workers pick cotton in East Turkistan. Source: https://www.sohu.com/a/422122183_267106?sec=wd

from East Turkistan is being blended with cotton from other regions, undermining the full enforcement of existing laws. Although the US banned the import of cotton products in 2021, the findings suggest that enforcement is inadequate and China continues to export cotton to the US via third countries.¹¹²

In 2020, more than 190 human rights organizations, including Anti-Slavery International, the Worker Rights Consortium (WRC), Human Rights Watch (HRW), The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), and the Uyghur Human Rights Project, issued a joint statement condemning the forced labor of Uyghurs, Kazakhs, Kyrgyz, and other ethnic groups in factories. The statement called on international brands to cease cooperation with factories implicated in forced labor practices. This appeal, which primarily targeted the textile and technology industries, aimed to raise global awareness of the Chinese government's systematic forced labor policies in East Turkistan. Human rights groups emphasized the need for international brands to review their supply chains and end any association with production processes involving forced labor.¹¹³ The global distribution of products manufactured in these factories illustrates that the issue is not merely regional but a global human rights concern. This initiative represents a significant gesture by the international community in addressing

China's human rights violations in East Turkistan. However, the extent to which targeted brands will comply with these demands remains uncertain.

Sheffield Hallam University's Helena Kennedy Centre for International Justice published a report titled "Tailoring Responsibility: Tracing Apparel Supply Chains to Combat Forced Labor in the EU," which draws attention to forced labor practices in textile products imported into Europe. Specifically, the report highlights the entry of cotton and textile goods produced through forced labor in East Turkistan into the European market. The report states that a lack of transparency in supply chains and the concealment of human rights violations contribute to the persistence of this issue. The report calls on the European Union to implement stricter regulations and effective monitoring mechanisms to prevent the import of goods linked to forced labor. Furthermore, it emphasizes the need for companies to manage their supply chains more responsibly and mitigate the global textile sector's reliance on unethical practices.¹¹⁴

The Australian Strategic Policy Institute (ASPI) report *Uyghurs for Sale* provides a comprehensive account of the Chinese government's transfer of Uyghurs and other ethnic groups from East Turkistan to factories across China for forced labor. It identifies at least 82 global brands as indirectly linked to forced labor through these supply chains and emphasizes

that such practices violate international human rights standards. It urges companies to be more accountable and transparent within their supply chains. Furthermore, the report calls on the international community to take stronger measures against forced labor.¹¹⁵

On August 31, 2022, the Office of the United Nations High Commissioner for Human Rights (OHCHR) published a report titled "Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region," which evaluates the Chinese government's human rights violations against Uyghurs and other Muslim groups in East Turkistan. The report identifies widespread forced labor, arbitrary detention, torture, and other forms of mistreatment. It concludes that these actions constitute severe breaches of international human rights standards. Based on testimonies from human rights groups and victims, the report states that China's "counter-extremism" and "anti-terrorism" policies target religious and cultural identities, resulting in the systematic violation of individual freedoms.¹¹⁶

Another report, titled *The Uyghur Genocide: An Examination of China's Breaches of the 1948 Genocide Convention*, prepared by the Newlines Institute for Strategy and Policy and the Raoul Wallenberg Centre for Human Rights, provides detailed evidence that the People's Republic of China is implementing a systematic policy of genocide against the Uyghur population, thereby violating the 1948 Genocide Convention. It documents official Chinese government directives and public statements by high-ranking officials that demonstrate intent to destroy the Uyghur people, including repeated actions such as "break their roots" and "break their lineage." It outlines genocidal acts, including mass internment, forced birth control, separation of children from families, and cultural erasure. The report concludes that these actions constitute an attempt to destroy the Uyghur population biologically, culturally, and socially. The report draws particular attention to torture in detention camps, forced labor, compulsory assimilation policies, and the suppression of religious freedoms. These findings suggest a broad, systematic strategy targeting the Uyghur people and a clear violation of international law. The report calls on the international community to take urgent and effective action to hold China accountable for these violations.¹¹⁷

The Human Rights Watch report, titled "Break Their Lineage, Break Their Roots: China's Crimes Against Humanity Targeting Uyghurs and Other Turkic Muslims," provides a thorough analysis concluding that the Chinese government's actions against the Uyghur and other Turkic Muslim communities qualify as crimes against humanity. The report details practices such as mass detentions, forced



Photo: https://www.sohu.com/a/156216064_798957

labor, birth control policies including sterilization, cultural and religious assimilation, and the separation of families. It emphasizes that these actions are part of a systematic, state-supported plan. The report argues that these policies fall under the scope of crimes against humanity, as defined by the Rome Statute of the International Criminal Court. It also highlights the profound and lasting impact of these violations on individuals and communities. The report urges the Chinese government, the international community, and the United Nations in particular to take effective measures to prevent these crimes and protect the victims.¹¹⁸

In 2024, the European Union took a significant step by adopting comprehensive regulations aimed at preventing the circulation of products made with forced labor. The new regulation blocks such goods from entering the EU market and mandates stricter monitoring of global supply chains. Under the new legislation, companies must prove that their products were not manufactured using forced labor. The legislation targets industries such as food, textiles, and technology and aims to promote international cooperation to combat forced labor.¹¹⁹

Forty containers of tomato paste produced through forced labor in East Turkistan arrived at the Port of Salerno in Italy. The Coldiretti Farmers Union protested, stating that the Chinese government exploits Uyghur laborers under coercive conditions and that such products do not meet European standards. The Uyghur Human Rights Project and the Uyghur American Association sent a letter to the Italian

112 Reuters, "Banned Chinese Cotton Found in 19 US Retailers' Merchandise, Study Shows," May 7, 2024, <https://www.reuters.com/markets/commodities/ban-ned-chinese-cotton-found-19-us-retailers-merchandise-study-shows-2024-05-07/>

113 Euronews, "190 Örgütten Ünlü Markalara: Uygurların Zorla Çalıştırıldığı Fabrikalarla İş Birliğine Son Verin," Accessed January 2025, <https://tr.euronews.com/2020/07/24/190-orgutten-unlu-markalara-uygurlar-n-zorla-cal-st-r-l-d-g-fabrikalarla-is-birligine-son-v>

114 Yalkun Uluyol et al., *Tailoring Responsibility: Tracing Apparel Supply Chains from the Uyghur Region to Europe* (Sheffield Hallam University, Helena Kennedy Centre for International Justice, December 2023, updated February 2024), accessed January 2025, <https://enduyghurforcedlabor.org/wp-content/uploads/sites/44/EU-Tailoring-Responsibility-February-24.pdf>

115 Australian Strategic Policy Institute (ASPI), *Uyghurs for Sale: 'Re-education', Forced Labor and Surveillance Beyond Xinjiang*, March 2020, Accessed January 2025, <https://www.aspi.org.au/report/uyghurs-sale>

116 Office of the United Nations High Commissioner for Human Rights (OHCHR), *OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China*, 31 August 2022, accessed January 2025, <https://www.ohchr.org/en/documents/country-reports/ohchr-assessment-human-rights-concerns-xinjiang-uyghur-autonomous-region>

117 Newlines Institute for Strategy and Policy, and Raoul Wallenberg Centre for Human Rights, *The Uyghur Genocide: An Examination of China's Breaches of the 1948 Genocide Convention* (Washington, DC: Newlines Institute for Strategy and Policy, March 2021).

118 Human Rights Watch, "Break Their Lineage, Break Their Roots: China's Crimes Against Humanity Targeting Uyghurs and Other Turkic Muslims", April 19, 2021, accessed January 2025, <https://www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting>

119 Human Rights Watch, "EU Adopts New Regulation to Curtail Forced Labor."

government expressing concern over the import after it was reported that 90% of the tomato paste was produced by Uyghurs.¹²⁰

A Yale University report reveals that Uyghurs in East Turkistan have cumulatively received sentences totaling 4.4 million years, highlighting the grossly disproportionate nature of these penalties. Despite China's claims to be promoting prosperity and social harmony in the region, evidence indicates widespread detention, forced labor, and cultural repression. The report urges the international community to take concrete action against these human rights abuses.¹²¹

As part of a public relations campaign, the Chinese government has invited Taiwanese influencers to East Turkistan to counter negative perceptions about human rights violations in the region. However, the Taiwanese government alleges that Beijing is using these individuals to cover up allegations of forced labor involving Uyghurs. The Taiwanese government has advised its citizens against traveling to or working in China. Some influencers have declined to participate in these campaigns, but these propaganda efforts have further heightened concerns about the ongoing human rights crisis in the region.¹²²

These findings demonstrate that the system of forced labor in East Turkistan has far-reaching economic and social implications. The presence of these products in international supply chains raises questions about the effectiveness of existing regulations and highlights the urgent need for stronger global measures to combat human rights violations.

3.4. ANALYSIS OF FORCED LABOR MECHANISMS

East Turkistan is a key location in China's Belt and Road Initiative (BRI), a major global trade network. The region is at the center of numerous economic development projects initiated by the Chinese government.

Due to its borders with various countries, East Turkistan has historically served as a buffer zone for China. Overcoming physical barriers such as the Taklamakan Desert and the Great Wall of China, the region has become a gateway for China's westward expansion. From an economic perspective, East Turkistan has drawn China's attention, particularly because of its abundance of raw materials and cheap labor.¹²³

Forced labor practices represent one of the most prominent aspects of the Chinese government's repressive policies in East Turkistan. These mechanisms appear to be implemented systematically to exert control over the local population and serve China's economic objectives. Furthermore, the Chinese government appears to utilize forced labor to not only strengthen the local economy, but also to enhance its competitiveness in international markets.

Forced labor practices are an increasingly prevalent issue that extends beyond China's borders and has become embedded in international supply chains. Many global brands and corporations use products made through such labor, either knowingly or unknowingly. This practice violates corporate ethical standards and international trade regulations.

The forced labor of Uyghurs has become a key factor in China's relations with the United States and Europe. East Turkistan is considered the region with the most widespread state-imposed forced labor in the world. Coercive labor transfers and so-called "poverty alleviation" programs continued until early 2024 and were largely shaped by state initiatives aimed at increasing employment among targeted ethnic groups.¹²⁴

It can be said that the Chinese government's forced labor policies in East Turkistan target Uyghurs and other ethnic groups, and that forced labor and labor transfer policies linked to re-education camps are the two main mechanisms used to achieve this goal. Considering the scope and nature of these policies, two key elements stand out. First, re-education camps, under the guise of "vocational education and training," aim to ideologically recondition individuals while exploiting their labor for extremely low wages. Meanwhile, the labor transfer policy redirects surplus labor from rural areas into non-agricultural sectors, effectively institutionalizing forced labor.¹²⁵

China's forced labor policies in East Turkistan function as part of a systematic mechanism of repression. An estimated 900,000 to 1.8 million Uyghurs and other ethnic groups are held in internment camps. These initiatives, officially described as "re-education" programs, subject detainees to ideological and cultural assimilation. Within this system, individuals experience severe human rights violations, including psychological and physical torture, forced sterilization, and sexual violence. Those released from the camps are often sent to work in agricultural fields or factories, where they either receive very low wages or no compensation at all. Those who refuse to work face the threat of rearrest or imprisonment.¹²⁶

In East Turkistan, this system enables the state to control the labor force by compelling individuals to transfer their farmland to large-scale enterprises. As part of this policy, seasonal agricultural labor transfers serve to organize and suppress rural populations. Furthermore, vocational education and labor transfer programs are employed to intensify the assimilation and surveillance of targeted populations. Aligned with the objectives of the 14th Five-Year Plan, these programs expand employment obligations to include at least one individual per household, forcing people to work in state-designated jobs.

From 2023 to 2024, there was an increase in the number of forced labor transfers in East Turkistan, with reports indicating that the government relocated targeted ethnic groups to other provinces. Unemployment monitoring and early warning systems are used to support these processes, keeping low-income households in rural areas under constant surveillance. Under the guise of promoting social stability and economic development, the government imposes forced labor policies without individuals' consent, thereby constituting clear violations of international law.¹²⁷

Millions of people in East Turkistan have been forced into "surplus labor" and "labor transfer" programs. These programs force members of targeted ethnic groups into labor in the agricultural and industrial sectors. By 2021, over 3.2 million people were reportedly participating in these programs. The state mandated that at least one person per household participate in these programs. Those who refused were punished by being labeled as associated with the so-called "three evils," which are separatism, terrorism, and religious extremism. According to international norms, these practices constitute forced labor, human trafficking, and modern slavery.¹²⁸

Forced labor is supported by a repressive system that systematically violates basic human rights. In workplaces, freedom of movement is completely restricted, surveillance technology is widely used, and strict security measures are enforced. Workers are denied the right to leave or lodge complaints. Identity documents are usually confiscated, wages are often withheld, and many are employed under open-ended contracts. Even when payment is provided, the wages are far below the government-set minimum wage.¹²⁹

The Chinese government attempts to legitimize its forced labor policies in East Turkistan by claiming that they are part of a poverty alleviation program. In reality, however, these programs are based on a systematic structure of coercion, oppression, and serious human rights violations. As such, they are widely recognized as some of the most blatant examples of modern-day slavery and forced labor. These policies have drawn strong condemnation from the international community and are considered a grave human rights crisis.



CONCLUSION AND LEGAL ANALYSIS

Forced labor is a global issue that transcends national borders and violates human rights. It can be defined as a modern form of slavery. The practices in East Turkistan demonstrate that forced labor involves more than just the violation of individual consent; it is also a structural problem embedded in state-sponsored, systematic repression policies and integrated into international supply chains. This report examines various dimensions of forced labor, explores its conceptual framework, and provides an in-depth analysis of its implementation in East Turkistan.

While the concept of forced labor typically involves compelling individuals to work against their will, this definition only touches on the surface of a broad and complex issue. As discussed in the first part of this report, forced labor operates as a systematic mechanism of repression shaped by the intersection of state policies, economic objectives, and ideological goals. In the case of East Turkistan, these mechanisms are legitimized through discourses of economic development and national security. In practice, however, these policies serve as tools of assimilation and oppression that systematically violate human rights.

120 Decode39, "Chinese Tomato from Xinjiang Arrives, Italian Farmers Protest." Accessed December 2024. <https://decode39.com/9090/chinese-tomato-from-xinjiang-arrives-italian-farmers-protest/>

121 ABC News, "China Uyghur Policies Xinjiang Atrocity Crime Report Finds," August 23, 2024. <https://www.abc.net.au/news/2024-08-23/china-uyghur-policies-xinjiang-atrocity-crime-report-finds/104242378>.

122 The Print, "China Pays Taiwanese Influencers to Create Positive Content on Xinjiang to Diminish Negative Narratives." Accessed December 2024. <https://thepoint.in/world/china-pays-taiwanese-influencers-to-create-positive-content-on-xinjiang-to-diminish-negative-narratives/2254953/>

123 Sayin, Y., and G. Koçak, "Müslüman Dünyanın Bir Sorun Alanı Olarak Doğu Türkistan Meselesi," 2017.

124 Adrian Zenz, "Forced Labor in the Xinjiang Uyghur Autonomous Region: Assessing the Continuation of Coercive Labor Transfers in 2023 and Early 2024," China Brief 24, no. 5 (March 1, 2024): 21.

125 Ibid.

126 Forced Labor in the Uyghur Region: The Evidence Issue Brief 1 (Sheffield Hallam University's Helena Kennedy Centre for International Justice, April 2023).

127 Zenz, "Forced Labor in the Xinjiang Uyghur Autonomous Region," 21.

128 Forced Labor in the Uyghur Region, April 2023.

129 Ibid.



Photo: An image published in Chinese news. Source: <https://baijiahao.baidu.com/s?id=1796379710790565696&wfr=spider&for=pc>

China's forced labor policies in East Turkistan are systematic violations of international human rights law and labor standards. These policies are carried out through coercive labor transfer programs, the exploitation of individuals in detention camps, compulsory employment in industrial and agricultural sectors, and the forced inclusion of women and children in state-backed labor initiatives. Forced labor is integrated into global supply chains in various sectors, including textiles and cotton production, electronics, solar panel manufacturing, and mining. These practices extend to numerous countries and multinational corporations around the world.

These practices clearly contradict numerous international treaties and agreements, some of which China is a party to and others to which China is bound by international obligations. Despite being a member of the International Labor Organization (ILO), China did not ratify Conventions Nos. 29 and 105 on forced labor for many years. It was only in 2022, as a result of increasing international pressure, that China ratified the conventions. However, field research and documented evidence suggest that China continues to violate the spirit and obligations of these conventions. In addition, China is not a party to the ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize, nor to Convention No. 98 on the Right to Organize and Collective Bargaining. As a result, basic guarantees for the protection of workers' rights are not upheld.

China has officially endorsed the Universal Declaration of Human Rights (1948). However, despite signing the International Covenant on Civil and Political Rights (ICCPR, 1966), China has not yet officially adopted the treaty. Article 8 of the ICCPR explicitly prohibits forced labor. Furthermore, although China is a signatory to the International Covenant on Economic, Social, and Cultural Rights (ICESCR, 1966), the country continues to violate the covenant's forced labor provisions. China is also a party to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. However, given its policies of forced labor toward the Uyghur population and its efforts to erase their ethnic identity, China is failing to fulfill its obligations under the Genocide Convention.

Forced labor policies are not limited to economic exploitation. They are part of a systematic mechanism of repression targeting Uyghur identity, cultural existence, and family structures. Forced labor in internment camps, systematic birth control policies, the forced placement of children in state-run orphanages, and demographic engineering practices are all elements defined under Article 2 of the Genocide Convention.

For this reason, as outlined above, the international community has introduced various sanctions and measures against China's forced labor policies. However, China has attempted to circumvent these sanctions by

concealing the origin of its products or rerouting exports through countries such as Vietnam. Therefore, enhancing international cooperation, tightening import control mechanisms, and strengthening independent monitoring systems are critical to preventing products linked to forced labor from entering global supply chains. To ensure China complies with its international obligations, sanctions must be expanded and more comprehensive documentation of forced labor must be provided.

As discussed in detail in this report, forced labor in East Turkistan encompasses a wide range of practices, including reeducation camps and labor transfer programs. These policies are integral components of China's broader ideological, economic, and demographic strategies.

Forced labor is not only a regional human rights issue but also a crisis that has infiltrated global supply chains, affecting international trade and economic relations. The labor of Uyghur workers forced into the textile, agriculture, and mining sectors has become embedded in the supply chains of many international brands. This situation demands stricter regulations and requires global corporations to fulfill their ethical responsibilities.

RECOMMENDATIONS AND ROADMAP

Forced labor isn't just a violation of individual rights, it's also a serious issue with far-reaching implications for global trade, economic equity, and social justice. Due to its geographical location and economic structure, Türkiye holds a strategic position in preventing forced labor and promoting public awareness. In this context, the Republic of Türkiye's efforts to combat forced labor in domestic and international politics will significantly contribute to upholding human rights standards.

Examining Imports from China: A comprehensive inspection mechanism should be established to determine if imported products are associated with forced labor during their production. In this regard, import regulations should include human rights criteria, especially for product groups at risk of forced labor by Uyghur Turks, such as textiles, agricultural products, and electronics.

Customs Measures Against Products of Forced Labor: Stringent customs control procedures should be enforced to prevent the entry of goods produced through forced labor into Türkiye. Legal measures should be introduced to allow for the seizure of suspicious products. Additionally, a monitoring and certification system that aligns with international standards should be developed.

International Cooperation and Information Sharing: To actively contribute to the global fight against forced labor, Türkiye should enhance its collaboration with international

bodies such as the International Labor Organization (ILO) and the United Nations (UN). Regional cooperation mechanisms should encourage trade partners to share data and enforce human rights standards.

National Awareness Campaigns: Comprehensive education and awareness campaigns should be organized to raise public awareness of human rights violations and the economic impacts of forced labor. The goal of these campaigns should be to increase sensitivity to human rights, particularly among businesses, consumers, and decision-makers.

Policies to Support Local Workforce: In order to establish a strong domestic position against forced labor, employers should be urged to adopt ethical labor standards through incentive mechanisms. Additionally, policies that support the local workforce should be created to offset the negative effects of competition with cheap and exploitative labor sources.

Strengthening National Legislation: Existing legal provisions against forced labor in Türkiye should be reviewed and brought in line with international standards. Also, more deterrent penalties and effective monitoring mechanisms should be developed to combat forced labor.

Support for Civil Society Organizations: Civil society organizations in Türkiye must be provided with financial and logistical support to enable them to play a more active role in raising awareness and monitoring forced labor practices.

By implementing these recommendations, Türkiye can strengthen its human rights-based approach at the national level and set an example for the international fight against forced labor. These measures will contribute to resolving the global crisis and reaffirm Türkiye's commitment to human rights and its leadership in the international arena.

Forced labor is a systematic mechanism of oppression that disregards individual freedoms, undermines human dignity, and violates international law. The policies implemented in East Turkistan are among the most extreme and institutionalized manifestations of this issue. However, this problem extends beyond East Turkistan, becoming part of a broader crisis embedded in global supply chains and international trade. China's approach involves human rights violations, demographic engineering, and economic exploitation. This situation impacts not only the people of East Turkistan, but also challenges the moral responsibilities and economic structures of the international community. Therefore, stronger and more decisive action is required from states, corporations, and individuals alike. Forced labor can only be ended through comprehensive and determined efforts. This report aims to contribute to the structuring of such efforts.

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As the East Turkistan Human Rights Watch Association, we aim to make the human rights violations committed by the China in East Turkistan visible by monitoring, analyzing, and reporting. We defend the fundamental rights and freedoms of the people of East Turkistan by fighting against oppression that amounts to genocide. To this end, we work to amplify the voices of the people of East Turkistan who are subjected to unlawful practices, raise awareness, and mobilize national and international public opinion. Despite China's censorship and oppression policies, we make it our mission to inform people about the current situation in the region and contribute to the civil struggle against human rights violations.



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