



Policy Message

•The Extradition Agreement between Turkey and China signed on May 13, 2017 has since caused great concern in the Turkish public and Uyghur society.

•The agreement envisions sending back of the Uyghurs to China and may become grounds for violations of their rights.

Extradition Agreement: Uyghurs should not be left to their fate

✍ Amine Tuna Ertürk

Since 2016, 1 to 3 million Uyghurs have been deprived of their liberty, turned into slaves under conditions strongly suggest forced labor and became target of forced sterilization programs in detention camps. Any attempt to return Uyghur individuals to China where their fundamental rights such as freedom of thought, expression, religion, travel, property, assembly etc. are grossly violated will be against international conventions which guarantee human rights.

Xinjiang Uyghur Autonomous Region located in the northwest China is the scene of one of the most systematic oppression against an ethnic group. Chinese government's repressive policies in the region against ethnic groups such as Uyghurs, Kazaks and Krygyzs have a long history. But the appointment of Chen Quanguo's to the Regional Party Secretariat

in 2016 took the repression to another level, intensified restrictions on religious practices, mass surveillance and arbitrary detentions. The ongoing widespread and systematic persecution of Uyghurs and other Muslim minorities on the basis of their religion and ethnicity amount to crimes against humanity and genocide. According to the figures announced by the UN, 1 to

2 million Uyghurs have been deprived of their freedom by being detained in concentration camps called re-education camps for indoctrination purposes.¹ In the region, which has been transformed into an open-air prison built with high-tech camera systems, police checkpoints, cyber tracking technologies and internment camps, 13 million Muslim Uyghurs are subject to inhumane practices.

“Re-education” or internment camps?

The satellite images, documents from government agencies, information obtained from interviews with detainees and prisoners released from the camps and detainees’ relatives (concerning locations and capacities of the camps, mistreatment in the camps, systematic rape, torture and sexual abuse, brainwashing



sessions, and forced labour processes called vocational

training etc.) demonstrate that these policies may amount to genocide.² Uyghur women are forcibly sterilized against their consent, and Uyghur youth are marketed to small and large-scale factories to be employed in different regions of China. Furthermore, children of Uyghur parents detained in the camps are separated from their relatives and delivered to state orphanages.

“A Favorable” Instrument for Genocide: Security and Stability of the State

The Beijing government sought to justify these policies as a “strategy to prevent terrorism” for the sake of “security and stability” in the region by presenting Uyghur Muslims as an ethnic group monolithic, violent and “prone to separatism, terrorism and extremist ideas”.

However, if the situation in the region is examined closely, it will be seen that the Uyghurs have become the target of an all-out state apparatus. The Chinese government uses the war on terrorism argument as a convenient instrument for any kind of oppressive policy for ethnic minorities trying to preserve their religious and cultural identity.

China regularly introduces new measures targeting Uyghur identity and culture. At the point we have reached today the Uyghur language has been removed from all educational institutions; religious education, keeping



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Info

The policies that China is trying to implement against the Uyghurs are barely a case of “genocide” for the 21st century.



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and reading religious books including Quran, worshipping, growing “abnormal” beard, using religious garments such as veils, headscarves and long skirts are prohibited. People are forced to leave their daily halal practices such as avoiding pork and alcohol. All kinds of religious and cultural – mosque domes, minarets, Arabic inscriptions on restaurants, shops or other buildings) etc. – symbols are removed; historical and cultural settlements, shrines and cemeteries with hundreds of years of history are destroyed. In summary, China seems to aim to eliminate all kinds of outward attributes and social manifestations of Muslim Uyghur identity.

China sees the Uyghur issue, like Hong Kong and Tibet, a strictly internal matter threatening the unitary structure of the state and the very existence of the Uyghurs is seen as a direct threat to the country’s Han-centered national vision. The war on terror and security-oriented policies in the Uyghur region should be seen as a mass social engineering program that will transform the Uyghur society into “acceptable” citizens who have been stripped of their cultural identities and religious beliefs.

More strategic, visionary and humanitarian foreign policy in relations with China

Turkey, with quite a delicate balance, is obligated to improve its relationship with China which has reached undeniable political and economic power and on the other hand, defend Uyghurs that we see as a cognate.

Turkey’s desire to balance West politically, disruption of full EU membership target, disagreements with the US on issues such as Syria and FETO terror organization, and attracting investments and factors such as the goal of making technology transfer affects Turkey’s approach to China.³ China is Turkey’s one of the biggest import partners while Turkey supports China’s new ambitious development strategy the Belt and Road Initiative on the basis of “win-win” principle.⁴

However, it is clear that the Uyghur issue is one of the most important dynamics of Turkey–China relations. Turkey because of the strong historical, cultural and linguistic ties was one of the target countries of the migration waves following the annexation of Xinjiang to the communist China. Turkey has opened its arms to the Uyghur refugees since the 1950s, offered asylum, citizenship, shelter and moral support for Uyghur political leaders and intellectuals. Turkish government allowed Uyghur diaspora to operate to raise



awareness on Uyghur plight on domestic and international scale through media and civil society.

Turkish society with a strong empathy for the Uyghur cause has

always welcomed Uyghur diaspora which it shares a common historical and cultural consciousness. The Uyghur issue has been a sensitive backdrop for all mainstream political trends and social groups in Turkey. However, in recent years, while the repressive policies in the Uyghur region reached a nature equivalent to genocide, the weakness of the reactions in the Turkish public and media is noticeable. Whether this is an indirect reflection of the fact that foreign policy processes for China are designed only for economic interests and temporary political alliances is a matter to be taken in the consideration.



The juridical “cooperation” named “Extradition Agreement of the Criminals” between two countries, signed on May 13 (approved by the Chinese National Council on December 25, 2020 and on the agenda of the Turkish Grand National Assembly) has caused great concern to the Turkish public and the Uyghur community. There are hundreds of Uyghurs who have fled from cruelty in the region and taken refuge in Turkey by legal or illegal means and have not yet become Turkish citizens or have not obtained a residence permit. If these people are extradi-

ted to China for any reason, it seems inevitable that they will encounter imprisonment, ill-treatment, torture or death penalty.

Non-refoulement provisions should be reconsidered

The most comprehensive international regulation on the extradition of criminals is the European Convention on Extradition. In the Convention, it is stipulated that the offender will not be extradited if the crime causing the extradition request is considered a political crime or an act related to such a crime by the party requesting extradition. In addition, if the request for extradition is made for the purpose of pursuing or punishing a person on the basis of race, religion, nationality or political opinion, or if there are serious reasons that the person’s situation may be aggravated for one of these reasons, it is stated that the criminal cannot be extradited.

According to Turkey’s Foreigners and International Protection titled 6458 Law No. 4, no one shall be returned to a place where he or she may be subjected to torture, inhuman or degrading punishment or treatment or, where his/her life or freedom would be threatened on account of his/her race, religion, nationality, membership of a particular social group or political opinion.

In accordance with Article 55, the provision that a deportation decision cannot be taken when there are serious indications to believe



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This analysis call upon decision-makers and the public of the Republic of Turkey to show tenderness.

that they shall be subjected to the death penalty, torture, inhuman or degrading treatment or punishment in the country to which they shall be deported is reserved.

Although in accordance with the general provisions in the text of the agreement, it is stated that the request will be denied mandatory in cases where individuals will be judged or exposed to discrimination due to their race, religion, gender or political opinion, there are serious concerns that this legal regulation will be abused and that Uighur Turks will be subjected to grave rights violations, given that China links the Uighur people to all-out terrorism. However, it is natural to make international agreements on behalf of the Republic of Turkey that include extradition of criminals or different provisions, but as mentioned above, there are many different aspects of these agreements. While it is seen as positive developments that the Republic of Turkey embraces tens of thousands of Uighur Turks and allows

them to live in peace and security in the country by providing many conveniences, it is seen that unlawfulness is likely to occur with the mentioned agreement that will pave the way for the extradition of Uighur Turks to China. At this point, we call upon decision-makers and the public of the Republic of Turkey to show tenderness.

Endnotes

¹Stephanie Nebahay, Reuters, U.N. says it has credible reports that China holds million Uighurs in secret camps, 10 Ağustos 2018. https://www.reuters.com/article/us-china-rights-un/u-n-says-it-has-credible-reports-that-china-holds-million-uighurs-in-secret-camps-idUSKBN1KV1SU?utm_source=reddit.com

²Joanne Smith Finley (2020) Why Scholars and Activists Increasingly Fear a Uyghur Genocide in Xinjiang, Journal of Genocide Research, DOI: 10.1080/14623528.2020.1848109

³Çağdaş Üngör Özden, Türk-Çin İlişkileri: Sorun ve İmkan Alanları, 2017, TÜSES Türkiye Sosyal Ekonomik ve Siyasal Araştırmalar Vakfı, https://www.academia.edu/35288266/-Türk_Çin_İlişkileri_Sorun_ve_İmkan_Alanları.

⁴Republic of Turkey Ministry of Foreign Affairs, Turkey's Multilateral Transportation Policy, http://www.mfa.gov.tr/turkey_s-multilateral-transportation-policy.en.mfa

⁵Kadir Temiz, Türkiye-Çin İlişkilerinin Fay Hatları, 19 Mart 2020, Perspektif, <https://www-perspektif.online/turkiye-cin-iliskilerinin-fay-hatları/>

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*Whoever
saves a life,
it will be as if they
saved all of humanity.*



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