



TOPIC
OF THE
ISSUE

VULNERABLE GROUPS AND RIGHTS OF MINORITIES (IN THE CONFLICT)

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**A single type of child:
Canada**
by Sofia Esmeralda Morales

**Accessibility of Rights
for People with
Disabilities**

**Gslc rrjsclsdjlljclsjd
lcj dslcjsdlcjdc**

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Masthead

HUMAN RIGHTS NEWS

Published by FSES UK

Adress:

Mlynské luhy 4

821 05 Bratislava, Slovakia

E-mail:

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<http://www.fses.uniba.sk/>

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ISSN 1339-4541



1 Editorial

Bezradnosť európskeho azylového systému

Utečenecká kríza na Európskom kontinente sa neustále zhoršuje. Neexistujú tu žiadne precízne očakávania. Utečenci prekračujú každú hranicu na svojej ceste z oblasti Blízkeho východu k západoeurópskym krajinám. Nemecko v tomto pokročilo, keď dočasne pozastavilo uplatňovanie Nariadenia Dublin III. Verejne prehlásilo, že bude akceptovať každého utečenca, ktorý uteká zo Sýrie. Nemecko je viac-menej pripravené. Má ekonomiku, má prázdne budovy, a vníma perspektívu krajiny pre nahradenie budúcej nízkej miery pôrodnosti ovplyvňujúcej pracovný trh týmto spôsobom. Nemecko však nemá personálne kapacity, ktoré by mohli pracovať s takým množstvom utečencov. Európska únia nemá odhodlanie a neprijala žiadne rozhodnutie, ktoré by riešilo otázku utečencov jednotným spôsobom. EÚ nemá efektívnu azylovú politiku a reaguje len ad hoc.

V roku 2010/2011 svet hovoril o utečeneckej kríze v Turecku. Hraničiaca Sýria vtedy produkovala obrovský prílív utečencov utekajúcich

z oblastí, ktoré sú už dnes oficiálne uznané za teritórium krajiny zmiešané vojnou. Európska únia ostala ticho a nepripravovala sa na súčasnú situáciu, pričom práve naopak, zotrvala na kritike pri hodnotení prístupu Turecka k zaobchádzaniu s utečencami. V súlade so svojimi imigračnými politikami, azylová politika v Európskej únii v tomto období zaznamenala prijatie iba jedného nariadenia. Išlo o Nariadenie nazývané Dublin III. Toto nedovoľuje žiadateľom o azyl požiadať o azyl v tretej krajine, ak už boli zaregistrovaní v inej bezpečnej krajine ako žiadatelia. Posledných desať rokov Európska únia prezentovala, že krajiny, ktoré majú spoločnú hranicu s EÚ, tzv. kandidátske krajiny EÚ sú bezpečnými krajinami. Členstvo v EÚ znamená primárne, že ide o bezpečnú krajinu.

Rok 2015 bol predvídaný, ale nebol očakávaný. Utečenci, ktorí skončili v Turecku, našli svoju cestu cez hory, more, cesty, železničné spojenia do pre nich nádejnej a očakávanej Západnej Európy. Koniec dňa tak pre nich predstavoval iba tisíce kilometrov vzdialenosti. Riskujú svoje životy sa žiadatelia o azyl po-

súvali vpred. Svet v ich očiach vyzeral vždy lepšie ako nemilosrdné vraždenie v Sýrii, kde neustále dochádza k predaju zbraní a život na západnom pobreží profitoval z vojny, ktorá vytvára množstvo ľudí bez domova a pod neustálou hrozbou. História poprela európske krajiny, tak ako vo výroku «migrácia sa nekoná»; vzostup mnohých konzervatívnych pravicových strán len podčiarkuje tento prístup, ktorý treba opustiť...» Varovania mnohých mladých výskumníkov, ktorí sa zaoberali problematikou azylových politik a medzinárodnej migrácie neboli dostatočným dôvodom pre politické strany, aby sa snažili vytvoriť záložný plan v prípade, že “sa to stane”.

Takýto prístup zastihol Európsku úniu nepripravenú. A viac ako to, rozdelená a radikalizovaná Európska únia bojujúca s najväčšou ekonomickou krízou akú pamätá, ponechala otázku pomoci ľudí v núdzi a ich základných práv niekde vo vzduchoprázdne na hraniciach, cez ktoré sa chcú dostať do „zasľubenej zeme“.

Lucia

When European colonizers began claiming land tribes had already claimed as theirs decades earlier, right in front of their eyes, tribes witnessed land being stolen from them. There was anger from Aboriginal people when they saw the deleterious ways in which the Europeans treated the land (e.g. creating new fields by burning forests); harmony between people and land / nature was pertinent to Aboriginal First Nations cultures, the European manner was completely contradictory.

Indeed, therefore, in Kanata / Canada, war did break out after some time of struggle of land-claims between European colonizers and Aboriginal tribes, and within this antagonism also came war cruelties (e.g. rapes, casualties, hostages, etc.). There were certain cases, often for disputes over land, where tribes were divided and turned against each other, or separated completely, by force of circumstances. This only added discernment to the rivalry. The important note to make is that this cultural clash was the main ground in the reason for conflict.

Seeing opportunity in the instability caused by the conflict and separation of tribes, Europeans tried to impose the European Christian beliefs, moralities, and norms on the Aboriginal tribes. Of course, at first, tribes rejected this and pushed back. However, when the Europeans “won” the wars, had colonized and gained absolute power over the land, Aboriginal First Nations lost autonomy over themselves. In the theft of their land, Aboriginal people were weakened, and left destitute, vulnerable to the European assimilation efforts.

A Form of Cultural Extinguishment: Residential Schools

Here, we refer back to the different categories or types of people present in young Canada, but who was the real “Canadian”? The government at this time faced the challenge of uniting multiple languages, cultures, ethnicities, and histories into a single sense of nationhood. The beginning of one form of a possible solution, to the problem of creating “Canadian”, was passed onto the federal government from the British colonial government in the form of what is termed the Indian Act. The Act treated indigenous people as children to be brought up, as a group homogenizing to the European manner . In an effort to facilitate the process, to be able to faster integrate the indigenous people into European-Canadian society (specifically the workforce), the federal government placed a policy termed “aggressive assimilation”. Under this policy, the English language, Christianity, and European manner would be severely imposed on indigenous people, especially children as they were seen as the most culturally malleable, in the hopes that eventually, indigenous tradition would be rashly diminished, ideally completely eliminated.

In its next step, the Canadian federal government developed under this policy church-run, government funded, industrial schools, named “Indian Residential Schools”. Although there still is some debate regarding when the first residential school opened, the main rule of this education policy is confirmed; attendance was mandatory by all Aboriginal children, sometimes as early as the age of 5. Aboriginal children were often taken away forcefully from their families, to become boarders at the schools. They would then remain enrolled in the institutions, with limited contact to home, for extended periods of time.

3 CASE LAW NASILIE STEREILIZ

Life on a Residential School

In the Residential School system, it was imposed on the attending children that being Canadian was good, but being Aboriginal was bad. This resulted in the alienation of these children from their communities, and shame for their own identity. If a child was caught “being indigenous”, they would be severely punished, sometimes in the form of severe beatings .

Accusations and convictions have been made for cases of sexual assault in the Residential Schools, as well as documents have been found proving that during the 40s and 50s, some residential schools carried out nutritional experiments on malnourished children. Letters to home were written in English or French, meaning parents couldn’t read them. Children were not allowed to interact with each other, and genders were never mixed, stealing from them important childhood social development .

Residential School survivor, Sue Caribou, said in an interview in Ottawa, “I was thrown into a cold shower every night, sometimes after being raped... I vowed to myself that if I ever get out alive of that horrible place, I would speak up and fight for our rights.”

The Breach on the Rights of the Child

These schools, in addition to the Indian Act and other policies, put “Canadians” in a position of superiority and advantage to the labeled Aboriginal First Nations. In actuality, in their years of enforcement, Residential Schools placed approximately 150,000 children into the people type indigenous mentioned earlier; a discriminatory, derogatory categorization. The last operating Residential School closed in 1996.



4 Book review

How Can the Done Be Undone?

Today, the federal government of Canada has put in place policies for reconciliation, removed discriminatory policies of the Indian Act, and in 2008 Prime Minister, Stephen Harper, made a national apology to Aboriginal First Nations for the atrocities of Residential Schools.

The work of reconciliation with Aboriginal First Nations communities has begun, but the question remains, how can the done be undone?

Straznicka

They have been created at international level under international human rights regimes, further developed and deepened under regional human rights regimes and at the end their acceptance has been made at national level. I believe this research could help me to answer question why there is still violation of human rights and which level of whole development is responsible for this violation. Unfortunately, for the purpose of this thesis is not possible to deal with whole spectrum of human rights, so at this moment I'm at the stage of narrowing of my topic. I believe that I will be able to do it in a short time and through it have possibility to continue in my research.



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„Realizované s finančnou podporou Ministerstva zahraničných vecí a európskych záležitostí SR v rámci dotačného programu Podpora a ochrana ľudských práv a slobôd, projekt č. LP/2016/127. Za obsah tohto dokumentu je výlučne.



MINISTERSTVO ZAHRANIČNÝCH VECÍ
A EURÓPSKÝCH ZÁLEŽITOSTÍ
SLOVENSKEJ REPUBLIKY