

# Research for ethnic minorities

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## **Opomba:**

Ve\_ina stvari je v obliki ukrepov za enake mo\_nosti. Par stvari so kratek pregled kaj se je z dolo\_enimi manj\_inami dogajalo v preteklosti, kaj se dogaja danes... Na koncu je \_e nekaj primerov iz BBC-ja kako so te manj\_ine ali diskriminirane na \_isto banalnih obmo\_jih ali pa povzetki ukrepov.

## **Ethnical minorities in Slovenia after joining the EU.**

Membership of Slovenia in the European union (EU) and the consequential removal of the classical role of borders as well as free movement of people within the Union open numerous new questions relating to the future status of Slovene minorities in the neighboring states (in Austria, Italy and Hungary), and the constitutionally recognized (Italians, Hungarians and Roma) as well as the so-called new (Croats, Serbs, Bosniaks, Albanians, etc.) ethnic communities in Slovenia. Once Slovenia becomes an EU member a gradual alteration of ethnic, racial and religious structure of its society is expected due to:

- 1) Migrations within the EU itself and
- 2) The influx of people from other states, which are connected with the EU by the "accession and stabilization" agreements - from the territory of the former Yugoslavia, as a consequence of a growing Slovene economy.

In the new European circumstances entirely new possibilities for the development of unrestricted economic, cultural and other contacts will emerge within the future Slovene ethnic space. In such circumstances also Italian and Hungarian minorities will more than ever be integrated into two, in our terms, enormous ethnic, cultural and economic spaces; Roma people will, within "the new European home", have an opportunity to develop relations with their very sophisticated European and national political, cultural and informative structures.

## **EU's goals for equal opportunities**

The European Union (EU) has every reason to be proud of its anti-discrimination legislation, one of the most extensive in the world. In 2000, the European Union adopted two very wide-ranging laws to prohibit discrimination based on racial or ethnic origin, religion or belief, disability, age or sexual orientation in the workplace and, as far as racial and ethnic origin is concerned, in other aspects of daily life. These texts build on the extensive provisions at EU level to promote equality between women and men.

However, calling for equal rights and adopting laws to try and guarantee them is not enough to ensure that equal opportunities are enjoyed by everyone in practice. Incentives have to be given to bring about a change in behavior and mentality. Steps also have to be taken to tackle the intricate patterns of inequality suffered by certain groups and communities in Europe, such as the Roma, while examining the roots of these problems. Finally, we have to acknowledge that our societies are changing. Examples of this are the EU's ageing population and its increasingly multiethnic makeup. The ever-growing diversity sets new challenges that we have to meet more effectively, while offering myriad opportunities that we have to seize.

The 2007 European Year of Equal Opportunities for All is an initiative leading the way to a bolder strategy seeking to give momentum to the fight against discrimination in the EU, as the Commission explained in a document, published in June 2005, called 'Framework strategy for non-discrimination and equal opportunities for all'. During the Year, all discrimination grounds have to be treated in a balanced way and the different ways in which women and men experience discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation have to be considered as well.

The Year aims to:

- make people more aware of their rights to enjoy equal treatment and a life free of discrimination – irrespective of sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation
- promote equal opportunities for all
- launch a major debate on the benefits of diversity both for European societies and individuals

Activities during the Year will be organized around four key objectives: rights, representation, recognition and respect:

All people in the European Union are entitled to equal treatment, irrespective of their sex, race or ethnic origin, religion or belief, disability, age or sexual orientation – this is the key message that the Year will strive to put across not only to the general public but also to individuals or groups that suffer from discrimination or are potentially exposed to discrimination.

The idea will also be to show that equality does not mean sameness. The implementation of the equality principle has to take into account differences and diversity so as to ensure that each individual genuinely enjoys equal treatment.

Representation – Stimulating debate on ways to increase the participation of groups in society that are victims of discrimination and achieving balanced participation by men and women.

Women are in the minority in our parliaments and ethnic minority MPs are even scarcer. Disabled people tend to be sidelined in society. Against this background, the Year will launch a series of debates on how to make it easier for under-represented groups to participate more in society, while ensuring a balanced involvement of men and women in all sectors and at all levels. The business community and the political sector are set to be key targets under this heading.

Rather than confining itself to eliminating discrimination, an equal opportunities policy also has to try to provide all individuals with opportunities for becoming fully involved on the same footing in society. Certain communities, such as the Roma, are so deprived that positive action might have to be taken for them so as to eliminate this inequality, which is so deeply rooted in society. The advisability of taking positive measures to promote equal opportunities will also give rise to several debates and activities throughout the Year.

Recognition – facilitating and celebrating diversity and equality

Another aim of the Year will be to make public opinion and the people concerned aware of the positive contribution each party can make to society as a whole, irrespective of the person's gender, race or ethnic origin, religion or beliefs, disability, age or sexual orientation. During the Year, action will be taken to involve the general public in an open debate on the meaning of diversity in contemporary Europe and ways of valuing differences in society.

## Respect - promoting a more cohesive society

Action will be taken during the Year to raise awareness among the public and the people concerned to the importance of eradicating clichés, stereotypes and violence, and promoting good relations among all members of society, particularly young people. The Year will strive to promote and disseminate the values underlying equal treatment and the fight against discrimination.

The enlarged European Union must define a coherent and effective approach to the social and labor market integration of ethnic minorities. The situation of the Roma is particularly worrying: despite the projects carried out under the PHARE programme, they remain the target of discrimination and exclusion.

EC legislation on combating discrimination prohibits any direct or indirect discrimination on the grounds of racial or ethnic origin, or religion. In the context of the European Employment Strategy, Member States are encouraged to develop measures to facilitate the labor market integration of minorities under their National Action Plans. The open method of coordination on social integration also targets poverty and exclusion experienced by ethnic minorities, migrants and other disadvantaged groups. EU financial support is available through the European Social Fund and more specifically the EQUAL Community initiative.

## **PDHRE**

### What are the Human Rights of Ethnic Minorities?

Human Rights are universal, and civil, political, economic, social and cultural rights belong to all human beings, including members of ethnic minority groups. Members of ethnic minorities are entitled to the realization of all human rights and fundamental freedoms on equal terms with others in society, without discrimination of any kind. Ethnic minorities -- both the individuals belonging to ethnic minorities and ethnic minorities as groups -- also enjoy certain human rights specifically linked to their ethnic status, including their right to maintain and enjoy their culture, religion, and language free from discrimination.

## The Human Rights at Issue

The human rights of ethnic minorities are explicitly set out in the Universal Declaration of Human Rights, the International Covenants, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities and other widely adhered to international human rights treaties and Declarations. They include the following indivisible, interdependent and interrelated human rights:

The human right of members of ethnic minorities to freedom from any distinction, exclusion, restriction or preference based on race, colour, national or ethnic origin, language, religion, birth, or any other status, which has the purpose or effect of impairing the enjoyment of human rights and fundamental freedoms.

The human right of members of ethnic minorities to freedom from discrimination in all areas and levels of education, employment, access to health care, housing, and social services.

The human right of each member of an ethnic minority to equal recognition as a person before the law, to equality before the courts, and to equal protection of the law.

The human right of all members of ethnic minorities to participate effectively in cultural, religious, social, economic and public life.

The human right of members of ethnic minorities to freedom of association.

The human right of ethnic minorities to exist.

The human right of ethnic minorities to freedom from genocide and ethnic cleansing.

The human right of ethnic minorities to enjoy and develop their own culture and language.

The human right of ethnic minorities to establish and maintain their own schools and other training and educational institutions, and to teach and receive training in their own languages.

The human right of members of ethnic minorities to participate in shaping decisions and policies concerning their group and community, at the local, national and international levels.

The human right of ethnic minorities to autonomy in matters internal to the group, including in the fields of culture and religion.



## **Governments' Obligations to Ensuring the Human Rights of Ethnic Minorities**

What provisions of human rights law guarantee the Human Rights of Ethnic Minorities?

Includes excerpts from the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Convention against Discrimination in Education, and the ILO Indigenous and Tribal Peoples Convention (No. 169).

"All human beings are born free and equal in dignity and rights.... Everyone is entitled to ... rights ... without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.... All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination ... and against any incitement to ... discrimination.... Everyone, without any discrimination, has the right to equal pay for equal work...."

Universal Declaration of Human Rights, Articles 1, 2, 7, and 23

"States Parties...undertake to guarantee that ... rights ... will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.... The States Parties ... recognize the right of everyone to ... Fair wages and equal remuneration for work of equal value without distinction of any kind.... Equal opportunity for everyone to be promoted.... Education ... shall be made equally accessible to all."

International Covenant on Economic, Social and Cultural Rights, Articles 2, 7, and 13

"Each State Party ... undertakes to ... ensure ... rights ... without distinction of any kind.... All persons shall be equal before the courts.... Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor.... All persons are equal before the law and are entitled without any discrimination to the equal protection of the law.... The law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground..... In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."

International Covenant on Civil and Political Rights, Articles 2, 14, 24, 26, and 27

"The Contracting Parties confirm that genocide ... is a crime under international law which they undertake to prevent and to punish.... [Genocide] means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group...: Killing members of the groups; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group."

Convention on the Prevention and Punishment of the Crime of Genocide, Articles 1 and 2

"States Parties condemn racial discrimination and undertake to pursue ... a policy of eliminating racial discrimination in all its forms.... Each State Party undertakes to engage in no act ... of racial discrimination....; Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination...; Each State Party shall prohibit and bring to an end ... racial discrimination by any persons, group or organization.... States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, color, national or ethnic origin, to equality before the law, notably in the enjoyment of ... political rights ... civil rights ... economic, social and cultural rights, in particular: the right to work, ... to just and favorable conditions of work, to protection against unemployment, to equal pay for equal work...; the right to housing; ... to public health, medical care, social security and social services; the right to education and training.... States Parties shall assure ... effective protection and remedies ... against any acts of racial discrimination.... "

Convention on the Elimination of All Forms of Racial Discrimination, Articles 2, 5, and 6

"States Parties shall respect and ensure ... rights ... to each child ... without discrimination of any kind irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.... States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information.... States Parties shall ... Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous.... States Parties recognize the right of the child to education, and ... shall ... make primary education compulsory and available free to all; ... make [secondary education] available and accessible to every child...; make higher education accessible to all.... States Parties agree that the education of the child shall be directed to ... the development of respect for the child's parents, his or her own cultural identity, language and values.... In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language. "

-- Convention on the Rights of the Child, Articles 2, 17, 28, 29 and 30

"... States Parties ... undertake: To ... discontinue any ... practices which involve discrimination in education.... It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and ... the use or the teaching of their own language...."

Convention against Discrimination in Education, Articles 3 and 5

"Governments shall have the responsibility for ... Ensuring that [indigenous] peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population.... Indigenous and tribal peoples shall enjoy ... human rights ... without ... discrimination.... Governments shall .. Establish means by which [indigenous] peoples can freely participate ... at all levels of decision-making in ... institutions and ... bodies responsible for policies and programmes which concern them.... The peoples ... shall have the right to decide their own priorities for ... development as it affects their lives ... and the lands they occupy ... and to exercise control ... over their ... development...."

-- ILO Indigenous and Tribal Peoples Convention, (No. 169), Articles 2, 3, 6, and 7

## **Governments' Commitments to Ensuring the Human Rights of Ethnic Minorities**

What commitments have governments made to ensuring the realization of the Human Rights of Ethnic Minorities?

Includes excerpts from the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and commitments made at the World Conference on Human Rights in Vienna, the World Summit for Social Development in Copenhagen, the Habitat II conference in Istanbul.

"States shall protect the existence and the ... ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.... Persons belonging to national or ethnic, religious and linguistic minorities ... have the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.... Persons belonging to minorities have the right to participate effectively in decisions ... concerning the minority to which they belong or the regions in which they live.... Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with ... citizens of other States to whom they are related by ... ethnic, religious or linguistic ties.... Persons belonging to minorities may exercise their rights ... individually as well as in community with other members of their group, without any discrimination.... States shall ... ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs..... States should take appropriate measures so that ... persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory..... States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country."

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, Articles 1, 2, 3, and 4

"No one shall be subject to discrimination by any State, institution, group of persons, or person on the grounds of religion or other belief.... All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights ... in all fields of civil, economic, political, social and cultural life...."

Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, Articles 2 and 4

"Respect for human rights ... without distinction of any kind is a fundamental rule of international human rights law. The ... elimination of all forms of racism and racial discrimination ... and related intolerance is a priority task for the international community.... The World Conference on Human Rights reaffirms the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights ... without any discrimination and in full equality before the law.... The persons belonging to minorities have the right to enjoy their own culture, to profess and practise their own religion and to use their own language in private and in public, freely and without interference or any form of discrimination.... The World Conference ...

expresses its dismay at massive violations of human rights especially in the form of genocide, 'ethnic cleansing' and systematic rape of women in war situations, creating mass exodus of refugees and displaced persons. While strongly condemning such abhorrent practices it reiterates the call that perpetrators of such crimes be punished and such practices immediately stopped.... The World Conference ... urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities.... Measures to be taken ... should include facilitation of their full participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development in their country.... "

Vienna Declaration, Part I, paras. 15, 19, and 28; Part II, paras. 26 and 27

"We commit ourselves to promoting social integration by fostering societies that are stable, safe and just and that are based on ... non-discrimination, tolerance, respect for diversity, equality of opportunity, and participation of all people.... To this end ... we will ... Formulate or strengthen policies and strategies geared to the elimination of discrimination in all its forms and the achievement of social integration based on equality and respect for human dignity.... Promote access for all to education, information, technology ... as essential means for enhancing ... participation in civil, political, economic, social and cultural life.... Recognize and respect cultural, ethnic and religious diversity, promote and protect the rights of persons belonging to national, ethnic, religious or linguistic minorities, and take measures to facilitate their full participation in all aspects of the political, economic, social, religious and cultural life of their societies and in the economic progress and social development of their countries..."

Copenhagen Declaration, Commitment 4

"Eliminating discrimination and promoting tolerance and mutual respect for ... diversity ... requires ... Enacting and implementing ... laws ... to combat racism, racial discrimination, religious intolerance in all its various forms, xenophobia and all forms of discrimination in all walks of life in societies.... Taking specific measures ... to remove long-standing legal and social barriers to employment, education, productive resources and public services;... Governments should promote equality and social justice by: Ensuring that all people are equal before the law; Carrying out a regular review of public policy, including health and education policies, and public spending from a social ... equality and equity perspective...; Expanding and improving access to basic services with the aim of ensuring universal coverage...; Promoting full access to preventive and curative health care to improve the quality of life, especially by the vulnerable and disadvantaged groups...."

Copenhagen Programme of Action, paras. 73 and 74

"We are determined to ... ensure equal enjoyment of all human rights ... for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people...."

-- Beijing Declaration, para. 32

"Massive violations of human rights ... in the form of genocide, ethnic cleansing as a strategy of war ... and rape, creating a mass exodus of refugees and displaced persons, are abhorrent practices that are strongly condemned and must be stopped immediately, while perpetrators of such crimes must be punished.... Gross and systematic violations ... that constitute serious obstacles to the full enjoyment of human rights ... include ... all forms of racism, racial discrimination, xenophobia, ... and religious intolerance.... Particular attention should be paid to sexual violence against uprooted women and girls employed as a method of persecution in systematic campaigns of terror and intimidation and forcing members of a particular ethnic, cultural or religious group to flee their homes."

Beijing Platform for Action, paras. 131 and 132

"As human beings are at the centre of our concern for sustainable development, they are the basis for our actions in implementing the Habitat Agenda.... We shall intensify our efforts to eradicate ... discrimination, to promote and protect all human rights and fundamental freedoms for all...."

Istanbul Declaration, para. 7

"Equitable human settlements are those in which all people, without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, have equal access to housing, infrastructure, health services, adequate food and water, education.... We ... commit ourselves to ... Eradicating and ensuring legal protection from discrimination in access to shelter and basic services, without distinction of any kind...."

-- Habitat Agenda, paras. 27 and 40

## **The Lisbon Strategy and Ethnic Minorities**

In setting out the blueprint for how to make the European economy grow through job creation and social inclusion, the re-focused Lisbon Strategy calls for a renewed effort at creating an inclusive labour market. This includes yet another revised set of Employment Guidelines, calling for member states to adopt policies towards a raise in the average employment rate to 70 per cent, 60 per cent for women and 50 per cent for older workers (Guideline 16). Specifically, the Commission asks member states to pay 'special attention to tackling the persistent employment gaps between women and men, and the low employment rates of older workers and young people.'<sup>10</sup> In this regard, the Commission asks member states to tackle youth unemployment in particular, which is on average double the overall unemployment rate.

In addressing the need to ensure inclusive labour markets for job seekers and disadvantaged people (Guideline 18), the Commission further holds that facilitating access to employment for job seekers, preventing unemployment and ensuring that those who become unemployed remain closely attached to the labour market and increase their employability are essential to increase participation and combat social exclusion. This, the Commission argues, requires breaking down barriers to the labour market by assisting with effective job searching, facilitating access to training and other active labour market measures and ensuring that work pays, as well as removing unemployment, poverty and inactivity traps. In this connection, special attention should be paid to promoting the inclusion of disadvantaged people in the labour market, including through the expansion of social services and the social economy. While the Commission may well be implicitly including ethnic minorities in the category of disadvantaged people, this is by no means clear from the Employment Guidelines which do not include a reference to minorities. It would seem that ethnic minorities are simply not taken into account in the pursuit of economic growth.

To be sure, the Commission does explain that combating discrimination and promoting access to employment for disabled people as well as integrating migrants and minorities is vital, and that the unemployment gaps for people at a disadvantage, as well as between non-EU and EU nationals, remain too high. But it does not explicitly refer to the exclusion of ethnic minorities as a deterrent to economic growth. At best, in the instruction to improve matching labour market needs (Guideline 19), the Commission reminds member states that the additional labour supply resulting from immigration of third country nationals should be taken into consideration.

This weak line of policy guidelines is particularly surprising considering that the social exclusion of ethnic minorities was made glaringly apparent in a 2004 report published by the Commission and the Council on the progress made toward social inclusion in support of the Lisbon Strategy in member states.<sup>11</sup> The report delineates the results achieved according to the Open Method of Co-ordination (OMC), through which member states have agreed to co-operate on certain objectives under the Lisbon Strategy and Social Inclusion processes. This is a method whereby member states define collectively, with respect to national and regional diversities, objectives and indicators in a specific area and, on the basis of national reports, improve their knowledge, exchange information, and devise innovative approaches that could possibly lead to guidelines or recommendations.<sup>12</sup> One of the most successful outcomes of adopting this informal approach to policy improvement has been the ability to identify examples of good practice. Thus, while the report was able to reveal considerable attention within member states to the social exclusion of ethnic minorities, it also stated that little progress had been achieved.

The lack of action by member states is highlighted in the report's attention to one of the six key priorities of the Social Inclusion Programme 2003-05 which specifically instructs member states to make a drive to reduce poverty and social exclusion of immigrants and ethnic minorities. Here the report stated that while many member states pay attention to policies for the integration of ethnic minorities, refugees and migrants, the Commission was not entirely satisfied with the level of performance in the area of promoting social inclusion of ethnic minorities.<sup>13</sup> Most member states continue to present the issue of immigrants and ethnic minorities in rather general terms, highlighting health, housing and employment as areas of particular concern. In many cases, only a brief reference is made to migrant and ethnic groups being at risk, with little attempt to analyse the situation or factors which lead to exclusion and poverty. Only a few member states attempt to identify trends, negative or positive, in the living and working conditions of these groups, although some made a direct link between discrimination and social cohesion issues. In concluding, the report stated that although the vulnerability of ethnic minorities to poverty and exclusion has been recognised by all member states, in only a few cases specific targets and objectives have been set out. Little attention is paid to promoting the access of ethnic minorities to resources, rights, goods and services, to social protection schemes, and to decent and sanitary housing, as well as to education and appropriate healthcare.

Finally, the report argues that the specific situation of ethnic minorities faced with poverty and exclusion will require greater effort and analysis if their labour market participation is to be increased to the same levels as the majority population, and if their participation in social, cultural and political life is to be promoted.



## Ethnic minority inclusion and economic growth

The problem with social inclusion and economic growth is that the two are poorly linked in economic policies. The solution normally cited to combat social exclusion is the so-called rights-based approach to social inclusion whereas the economic policies proposed to improve economic development are usually growth-based. Whereas the rights-based approach is seen as a human rights tool, the growth-based model is an economic tool. However, according to experts on economic development, the theory of how to create social inclusion for marginalized groups should include at least three ways of addressing economic exclusion. There is the growth model, the individual empowerment model, known as the rights-based approach, and the security enhancement model. While the growth model may be taken to represent neo-liberal market approach, the empowerment model exhibits a rather more humanitarian approach as opposed to the security model which implies *Realpolitik* pragmatism. In reality, of course, they overlap and intersect, and none is likely to be successful in isolation. They all address the need to change a society from a less to a more desirable state. This involves increased economic efficiency, expansion of productive capacity, technological advances, industrial diversification, and adaptability to absorb exogenous shocks as well as aspects of increased GNPs, average real incomes, and general social welfare. The latter may involve embracing spiritual and cultural attainments, individual dignity and group esteem, fulfilment of the necessary conditions for the realization of the potential of human personality as a result of reductions in poverty, inequality and unemployment. Moreover, in some cases improving a society may mean simply providing food, adequate housing provisions and clean drinking water. These observations all bear on the issue of equity, self-reliance and self-determination and, thus, ultimately on the debate about recognition versus redistribution, or rights-based versus needs-based approaches.

This is, of course, the reason why respect for human rights has recently become part of this concern. Indeed, all three models place a high value on increased freedom, freedom to define one's own needs and to take part in making the decisions which affect one's life, thus enhancing the range of choices that are desirable to all people.<sup>16</sup> In short, social inclusion is not only about a good life but also about empowerment of people to participate on an equal basis in the common effort to create a good society based on a competitive and dynamic economy. Social inclusion therefore is not only a question about the right to participate but rather about the opportunity to participate.

There are of course no reasons to question the rights-based approach to social inclusion. Members of ethnic minorities face widespread disadvantage in their socio-economic opportunities. As noted, this disadvantage concerns their access to housing and services, healthcare, education and training, as well as employment. The socio-economic disadvantage of ethnic minorities results from direct and indirect discrimination, language barriers, lack of citizenship or status, and lack of recognition. In the employment sector, ethnic minorities are often excluded from public administration positions and relegated to the lowest level jobs in the private sector. Self-employment and self-starters of SMEs are often lower than the average. The level of education among certain ethnic minority groups is generally appalling. Ethnic minorities experience language difficulties in state school systems, resulting in high drop-out rates and even non-attendance. Moreover, the number of ethnic minority teachers appears low, and segregation and special schooling have increasingly become the norm. Discrimination in the housing sector is especially troubling, with issues ranging from lack of access to the private housing market, laws requiring residence permits to obtain public housing and health benefits, to issues of property restitution in post-conflict areas and poor municipal housing resembling ethnic ghettos in other areas. In many states, access to the public health sector does not only require prior registration but also insurance guarantees. Disadvantaged minorities usually do not have the means to buy insurance. Across the board, female members of minorities often suffer double or triple discrimination: first as women, next as members of minorities and third as members of the poorest part of the population. The growing feminization of poverty is particularly troubling for the future of an enlarging EU that wishes to be on the cutting edge of productivity.

Productivity is not attainable without economic development. This is why the rights-based approach must go hand in hand with the growth model. The report on the OMC of Social Inclusion programmes in the member states does address those aspects of economic development that contribute to the continued exclusion of ethnic minorities. Thus, for instance the lack of good transport infrastructure can limit the potential for economic and social regeneration in disadvantaged communities and contribute to the continuing decline of marginal rural areas.

Poor communities frequently bear a disproportionate part of the costs of traffic as they are often situated next to major strategic transport networks which can isolate them from surrounding neighborhoods, lead to higher levels of air and noise pollution and increased risk of accidents, especially to children. As the mobility gap between car-owners and non car-owners in the EU countries continues to grow, transport will continue to be a factor in entrenching social exclusion and inequality in society.<sup>17</sup> The exclusion of entire areas is also mentioned in the report, as ethnic minorities often live in rural and remote areas. However, according to the report, combating regional inequalities does not enjoy a high priority status with the central governments of member states. This is unfortunate, as the ability to promote economic growth at the regional and local levels has historically proved a good way of improving economic participation among national and historic minorities who are territorially defined. In developing their own 'social capital' and learning to engage with like-minded players, regions of national minorities in Belgium, Italy, Spain and the United Kingdom have become strong economic players in Western Europe.

Among the driving forces behind the economic development of these regions has been economic restructuring and rapid change in modes of production. Large-scale manufacturing has given way to more differentiated types of production tailored to specific markets. Dependency on proximity to natural resources and waterways has been reduced. In the early stages of local and regional development there was a heavy reliance on infrastructure development, including roads, ports, airports and telecommunication, manufacturing and industrial estates. These do not however necessarily ensure growth and self-sustaining entities. This was followed by supply-side policies that did not need to be managed centrally and rather required a high degree of local knowledge. This has proven more attractive to foreign investors. This is, of course, based on a philosophy which accepts globalization and free trade and the need to manage the insertion of national minority regions into European and world markets. In this paradigm, both external and internal factors defined the success of the economy of these regions. At the external level, global market competition and dependence on international finance influence regional development whereas, at the internal level, historically-determined characteristics of the national minority and its region as well as other structural contingencies determined success. In order to become more viable in the inter-regional competition for funds, national minorities fostered development coalitions within their regions.

These coalitions are usually cross-class, place-based alliances of social and political actors dedicated to economic growth in the region. Thus, growth policy will result from a combination of external market influences interfacing with local resources and opportunities, mediated by the composition of the coalition, the institutional structure of the region and cultural factors.

To be sure, the Commission supports the growth model as a tool in developing outlying regions through its Structural Funds programme. The total budget for the Structural Funds amounts to 195 billion Euro in 2000–2006, or close to one third of the EU budget. At present, there are three priority objectives. Objective 1 is to assist areas whose economic and social development is lagging behind. This objective is of fundamental significance. Only areas with a per capita gross domestic product lower than 75 per cent of the EU average are eligible for assistance under Objective 1. Nearly 70 per cent of all Structural Funds have been put into achieving this particular objective. Activities under Objective 2 concentrate on supporting a thorough economic and social conversion of areas experiencing structural difficulties in industry, agriculture, etc., while Objective 3 puts emphasis on modernizing education, training and employment systems. While ethnic and national minorities' access to the 12 Structural Funds has been administered through the capitals of member states and thus is rather cumbersome and bureaucratic in addition to being rather restrictive, the revised rules for 2007–2013 will alleviate some of these problems. The opportunity to combine the growth model approach of the Structural Funds with the rights-based approach of the Social Inclusion Programme in less developed regions is thus available to the member states. This is of course why the Race Directive is important. Indeed, the Commission is aware of the need to combine the strategy of social inclusion with the strategy of economic growth. In a recent working paper it has stated that "although there is wide agreement that there is no genuine trade-off between productivity and employment in the long-run, there is a clear need for greater understanding of the interactions and synergies between the different Lisbon reforms in order to better combine reforms." Unfortunately, the very same working paper omits any reference to ethnic minorities.

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## Equal Themes

EQUAL in Great Britain operates in thematic fields defined in the context of the four pillars of the European Employment Strategy (EES):

1. Employability
2. Entrepreneurship
3. Adaptability
4. Equal Opportunities

In addition to these themes, the programme supports a further theme of activities to help the social and vocational integration of asylum seekers.

Throughout those themes the strategy for EQUAL aims to:

- ensure that activities principally benefit those subject to the main forms of discrimination and inequality and each thematic field will be fully accessible to all such groups
- ensure that the promotion of equality between women and men is integral to the thematic fields in all four pillars as well as being targeted through specific actions in the fourth pillar
- the ideal of improving the supply of and demand for quality jobs with a future
- encourage the effective use of existing mechanisms (for example those that exist for social dialogue) to improve awareness of the factors leading to discrimination, inequality and exclusion in connection with the labour market.

## **Theme A**

### Summary of Theme A

Facilitating access and return to the labour market for those who have difficulty in being integrated or re-integrated into a labour market which must be open to all.

### Strategic Objectives

1. To combat discrimination faced by individuals and promote equality in the workplace
2. To test support mechanisms to help target groups integrate/re-integrate into the labour market

## **Theme B**

### Summary of Theme B

Opportunities to promote potential for ethnic minorities within the world of work.

### Strategic Objectives

1. To improve the employment prospects for ethnic minorities'

### Development Partnerships

There are 9 DPs working within Theme B.

### Theme B – Employability

The strategic objective of Theme B is to 'tackle patterns of discrimination and inequality in the labour market and improve the employment prospects for ethnic minorities.'

GB Development Partnerships (DPs) focus on:

- Accessibility to training and employment for ethnic minority communities.
- Developing mainstream employment opportunities for ethnic minorities in the creative media sector.
- Promoting entrepreneurship.
- Combating and eliminating workplace discrimination.

### Summary of Theme B

- Unemployment rate amongst Black and Asian people is 11.3%, as oppose to 4.4% amongst the White population. The General Household Survey has reported that unemployment rates have got worse for second generation British born descendents of immigrants.
- People from ethnic minority groups are more than twice as likely to be unemployed than white people and are less likely to reach senior positions at work.
- Research shows that people from minority ethnic backgrounds experience greater difficulty in finding and sustaining employment.
- Minority Ethnic groups are not homogenous and experience discrimination to differing levels.

- 19% of ethnic minorities believe that they have personally been refused a job for racial or religious reasons.
- Ethnic Minorities have fewer qualifications than their white counterparts. Qualification levels also differ between ethnic groups.
- Large differences are evident in unemployment rates between white and ethnic minority men.

Britain's ethnic minority population is mainly situated in specific regions of the UK. These include areas such as Greater London, the Midlands and northern industrial towns and cities like Bradford.

2001 Census data shows:

- The minority ethnic populations were concentrated in the large urban centres. Approximately 45% of the total minority ethnic population lived in the London region - comprising 29% of all residents.
- After London came West Midlands with 13% of the minority ethnic population, South East at 8%, North West at 8% and Yorkshire and Humber at 7%.
- Black Africans, Black Caribbeans and the Bangladeshi group generally lived within the London were more dispersed.
- The ethnic minority population grew by 48% between 1991 and 2001, from 3.1 million to 4.6 million.
- The ethnic minority population is relatively young. 45% of the ethnic minority is under 25 years old, compared to only a third of the White population.
- In relation to employment rates for men, Indians had the highest employment rate (73%) and Bangladeshis had the lowest (55%), compared with 80% for White men.
- For women from ethnic minority groups with higher qualifications, Black Caribbeans had the highest employment rate (84%), followed by Indian women and those from Other Asian groups, both at 80%, compared with 85% for White women.
- On the whole, unemployment rates for ethnic minorities are on average two to three times higher than those of white communities.

## **Theme C**

### **Summary of Theme C**

Opportunities to promote potential for ethnic minorities within the world of work.

### **Strategic Objectives**

1. To improve the employment prospects for ethnic minorities

### **Development Partnerships**

There are 9 DPs working within Theme B.



## **Frequently asked questions about the National Inquiry (Aboriginals in Australia)**

Following the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families and the release of the report *Bringing them home* several questions have been frequently asked and statements made about the Inquiry's findings and recommendations. Most of these have focussed on issues such as why Australians should acknowledge and apologise for past removals of Aboriginal and Torres Strait Islander children from their families; why those children were removed and why it was genocide; why do the "Stolen Generations" deserve compensation; and why do Indigenous people still talk about their children being separated today.

### **1. Why is so much of the report focused on the past? What we need to do is look at the present and the future, not dwell on the past.**

The National Inquiry's first term of reference, as outlined by the Attorney-General in May 1995, required the Human Rights and Equal Opportunity Commission to: trace the past laws, practices and policies which resulted in the separation of Aboriginal and Torres Strait Islander children from their families by compulsion, duress or undue influence, and the effects of those laws, practices and policies.

Comprehensively tracing the past laws, practices and policies affecting the lives of Indigenous peoples is crucial to Australia's understanding of its history.

Society cannot simply block out a chapter of its history; it cannot deny the facts of its past, however differently these may be interpreted. Inevitably, the void would be filled with lies or with conflicting, confusing versions of the past. A nation's unity depends on a shared identity, which in turn depends largely on a shared memory. The truth also brings a measure of healthy social catharsis and helps to prevent the past from reoccurring.

People mistakenly believe that the taking of Indigenous babies and children from their mothers only happened in the distant past. But the policies and practices of removal were in effect throughout this century until the early 1970s. There are many Indigenous people, now in their late twenties and early thirties, who were removed from their families under these policies.

Although the official policies and practices of removal have been abandoned, the report reveals that the past resonates today in Indigenous individuals, families and communities.

**It never goes away. Just 'cause we're not walking around on crutches or with bandages or plasters on our legs and arms doesn't mean we're not hurting. ...I suspect I'll carry these sorts of wounds 'til the day I die. I'd just like it to be not quite as intense, that's all.**

The negative consequences of removing children cannot be underestimated. The effects of separation on the lives of Indigenous Australians has been devastating for both those who were removed and their families and communities.

This process has been tantamount to a continuing cultural and spiritual genocide both as an individual and a community experience and we believe that it has been the single most significant factor in emotional and mental health problems which in turn have impacted on physical health.

***Why me, why was I taken? It's like a hole in you heart that can never heal.***

For the majority of witnesses to the Inquiry, the effects have been life-long and profoundly disabling. But the effects of removal do not stop with the children taken. Generations of Indigenous families continue to bear the brunt of government policies and practices which attempted to wipe out their rights and their culture. The unresolved grief and trauma of being taken from your family as a child is inherited by future generations.

The Inquiry found that a high proportion of people separated from their families as children had their own children removed from their care.

***There are things in my life that I haven't dealt with and I've passed them on to my children. ... I look at my son today who had to be taken away because he was going to commit suicide because he can't handle it; he just can't take any more of the anxiety attacks that he and Karen have. I have passed that on to my kids because I haven't dealt with it. How do you deal with it? How do you sit down and go through all those years of abuse? Somehow I'm passing down negativity to my kids..***

**2. Is the report saying that Australians should feel guilty about what happened in the past?**

Because guilt for wrongs done is always a matter of individual responsibility, any idea of collective guilt genuinely makes no sense. An individual cannot be charged with the crimes of others. He or she cannot experience remorse on someone else's behalf. ...

Talk of sharing in a collective guilt over the dispossession of the Aborigines is one thing; however, talk of sharing in a legacy of historical shame is altogether another.

The word 'guilt' is only used once in the report in a quote from Sir William Deane, the Governor-General of the Commonwealth of Australia:

It should, I think, be apparent to all well-meaning people that true reconciliation between the Australian nation and its indigenous peoples is not achievable in the absence of acknowledgment by the nation of the wrongfulness of the past dispossession, oppression and degradation of the Aboriginal peoples. That is not to say that individual Australians who had no part in what was done in the past should feel or acknowledge personal guilt.

It is simply to assert our identity as a nation and the basic fact that national shame, as well as national pride, can and should exist in relation to past acts and omissions, at least when done in the name of the community or with the authority of government.

No Indigenous Australian who gave evidence to the National Inquiry said that they wanted non-Indigenous Australians to feel guilty. Overwhelmingly, those who gave evidence simply wanted people to know the truth. They wanted to be able to tell their stories and have the truth of their experiences acknowledged.

Before the Inquiry, few non-Indigenous Australians were aware of the reality of removal. They were certainly not aware of how many Indigenous people were affected by past assimilation policies or of the levels of abuse that many children suffered.

Australians who were not directly involved in the practice of removing Indigenous children from their families should not perceive the Inquiry as asking them to feel personally guilty. However, it is the responsibility of all Australians to acknowledge the effects of assimilationist policies and practices, and to respect the needs of Aboriginal and Torres Strait Islander peoples.

As Andrew Lewis wrote to the Editor of the Sydney Morning Herald:

Is each generation a new society or a continuation of the existing society?

I was not personally responsible for any of this. I am a member of a society that wronged a group of people primarily on the basis of their race. That society owes an unqualified apology.

### **3. What will saying sorry achieve?**

An apology acknowledges that wrong has been done, and attempts to make amends to those who have suffered. Apologies can be made on a variety of levels – for example, as an individual or collectively, as part of a particular group. Apologies can be made by government representatives on behalf of the people they represent, but also on behalf of previous governments. Governments are ongoing representative bodies, irrespective of the particular individuals who occupy positions of power within them. They inherit the laws and practices of previous governments and so too inherit responsibility for their past actions.

Saying sorry does not undo the past.

However, we expect our governments, and the governments of other countries, to take responsibility and make amends for harm suffered in the past. Many Australians expect Japan to apologise today for acts committed against Australians in the past.

Indigenous people who were separated from their families look to the institutions that devised and implemented the laws and policies which affected them – such as governments and their agencies, churches and welfare organisations – for acknowledgement, apology and reparation. Many institutions have acknowledged and apologised for their role in removing Indigenous children. For example, the Anglican Church Social Responsibilities Commission stated in its submission to the Inquiry:

*[The Commission] simply states that no amount of explanation can detract from the now observable consequences of those misguided policies and practices. A great wrong has been done to the indigenous peoples of Australia. It is for participation in that wrong that this apology is offered.*

However, many institutions have not.

There are precedents for institutional apologies for past wrongs. In May 1997 the President of the United States, Bill Clinton, apologised to African-Americans who were abused in syphilis experiments in the 1930s. More recently, the Prime Minister of Great Britain, Tony Blair, acknowledged and apologised to the Irish people for Britain's role in the potato famine. The Truth and Reconciliation Commission in South Africa believes acknowledging the truth and expressing regret is the best way to heal the nation of the legacy of apartheid.

Saying sorry is an act of compassion, understanding and healing. Acknowledgement and apology are essential components of reparation and reconciliation.

#### **4. Weren't Indigenous children removed for their own good? Being taken away from their Indigenous families gave them a good education and opportunities they would not have had otherwise.**

This assertion is based on the very stereotypes used to justify forcibly removing children. It assumes that non-Indigenous people and institutions know more about looking after Indigenous children than their own families do.

Many people have said that Indigenous children were removed from appalling living conditions. However, nothing was being done by government agencies to improve these conditions for Indigenous families. Children were allegedly removed from their families out of concern for their well-being. But the fact that only some children in Indigenous families were taken negates this assertion. It was generally the children with lighter skin who were removed because children with lighter skin were considered more appealing by prospective non-Indigenous foster and adoptive parents. Children with lighter skins were considered easier to assimilate into white Australia.

Studies indicate that people separated from their families fared no better than those not separated when assessed on social indicators such as education, employment and income. However, those removed were twice as likely to have been arrested more than once in the last five years, and they suffer more health problems.

If some Indigenous people removed from their families are now 'successful members of society', it is largely in spite of their separation from their families, rather than because of it.

The notion that children were removed for their own good is particularly offensive to Indigenous peoples given the state of the institutions to which many children were sent. Far from being saved from neglect or destitution, many were imprisoned in institutions without enough food, without enough clothes, without love.

As witnesses who gave evidence to the Inquiry said:

***Sometimes at night time we'd cry with hunger, no food...We had to scrounge in the town dump, eating old bread, smashing tomato sauce bottles, licking them. Half of the time the food we got was from the rubbish dump.***

***I've seen girls naked, strapped to chairs and whipped. We've all been through the locking up period, locked in dark rooms. I had a problem of fainting when I was growing up and I got belted every time I fainted and this is belted, not just on the hands or nothing. I've seen my sister dragged by the hair into those block rooms and belted because she's trying to protect me... How could this be for my own good? Please tell me.***

Far from being protected, Indigenous children were regularly victims of abuse. Almost a quarter of witnesses to the Inquiry who were fostered or adopted reported being physically abused. One in five reported being sexually abused. One in six children sent to institutions reported physical abuse and one in ten reported sexual abuse.

Although Indigenous children were supposedly receiving a good education and opportunities for the future, most received just enough of an education to prepare them for menial labour.

***I wanted to be a nurse, only to be told that I was nothing but an immoral black lubra, and I was only fit to work on cattle and sheep properties ... I strived every year from grade 5 up until grade 8 to that perfect 100% mark in my exams at the end of each year, which I did succeed in, only to be knocked back by saying that I wasn't fit to do these things ... Our education was really to train us to be domestics and to take orders.***

Many Indigenous children were sent to work for non-Indigenous families, where they were vulnerable to and often experienced, abuse and exploitation. Many Indigenous children did the work of adults, but were rarely paid a minimum wage, if they were paid at all. A large proportion of their wages were officially placed in trust for these children, but many never saw the money they had earned.

The bulk of evidence to the Inquiry detailed the damaging and negative effects of removal. But overwhelmingly even those submissions which acknowledged love and care or a good education said that they wished they had never been removed from their families.

***Even though I had a good education with [adoptive family] and went to college, there was just this feeling that I did not belong there. The best day of my life was when I met my brothers because I felt like I belonged and I finally had a family.***

## **5. Lots of children have been removed from their families – from poor families or from single mothers – not just Indigenous children. Why do Aboriginal children who were removed deserve their own National Inquiry?**

The Inquiry found that the main reason for removal of Aboriginal and Torres Strait Islander children from their families was not concern for a child's well-being. The majority of children were removed because they were Indigenous.

The removal of vast numbers of children on the grounds of their race was the unique experience of Aboriginal and Torres Strait Islander children. No other Australians were subject to discriminatory assimilation policies from the moment they were born. And no other section of the Australian community had their children taken away in such a systematic and insensitive manner.

***I was taken off my mum as soon as I was born, so she never even seen me. What Welfare wanted to do was adopt all these poor little black babies into nice, caring white families, respectable white families, where they'd get a good upbringing. I had a shit upbringing. Me and [adopted brother who was also Aboriginal] were always treated different to the others ... we weren't given the same love, we were always to blame. ... I found my mum when I was eighteen – she was really happy to hear from me, because she didn't adopt me out. Apparently she did sign adoption papers, but she didn't know [what they were]. She said to me that for months she was running away from Welfare [while she was pregnant], and they kept finding her. She remembers being in – it wasn't a hospital –but there were nuns in it, nuns running it. I was born at Crown Street. They did let her out with her brother one day and she run away again. Right from the beginning they didn't want her to have me.***

The Inquiry found that the predominant aim of the forcible removal of Indigenous babies and children was to absorb or assimilate the children into the wider, non-Indigenous community so that their unique cultural values and identities would disappear. There was a clear and explicit intention to eliminate Indigenous peoples.

This conference believes that the destiny of the natives of aboriginal origin, but not that of full blood, lies in their ultimate absorption by the people of the Commonwealth, and it therefore recommends that all efforts be directed to that end.

It was thought that Indigenous peoples of Australia were a 'dying race', and that children of 'mixed descent', particularly those with fairer skin, could be assimilated into the broader community.

Children were not allowed to know anything about their families or their Indigenous heritage. Their names were changed. They were punished for speaking their own language. Many were never told they were Indigenous and were brought up with the racist beliefs of the non-Indigenous people around them.

***We were all rostered to do work and one of the girls was doing Matron's office, and there were all these letters that the girls had written back to the parents and family – the answers were all in the garbage bin. And they were wondering why we didn't write. That was one way they stopped us keeping contact with our families. Then they had the hide to turn around and say. "They don't love you. They don't care about you."***

Although different states had separate laws which sanctioned the removal of Indigenous children, government officials throughout Australia had absolute power over Indigenous families and could simply order the removal of an Indigenous child without having to prove to a court that the child was neglected. In some cases laws permitted the removal of Indigenous children on the grounds of race alone.

There is not an Indigenous family in this country that has not been directly affected by children removed under these laws. Families and communities lived in constant fear that their children might be taken away – and constant grief for those already gone.

Indigenous children who were removed did not only lose their families. They lost their languages, their cultures, their rights to land and their identities. Many were taught to hate and fear their people and so were taught to hate themselves.

***We were playing in the schoolyard and this old black man came to the fence. I could hear him singing out to me and my sister. I said to [my sister], Don't go. There's a black man'. And we took off. It was two years ago I found out that was my grandfather. He came looking for us. I don't know when I ever stopped being frightened of Aboriginal people. I don't know when I even realised I was Aboriginal. It's been a long hard fight for me.***

Removal policies did not just affect individuals and their families. Whole communities lost their confidence in bringing up their own children, and have been denied one of their most important and precious roles.

***When you look at a family tree, every person that is within that family tree is born into a spiritual inheritance. And when that person isn't there, there's a void. There's something missing on that tree. And that person has to be slotted back into his rightful position within the extended family. While that person is missing from the extended family, then that family will continue to grieve and continue to have dysfunctions within it. Until the rightful person comes and takes their spiritual inheritance within that family.***

## **6. How can you judge the past from the perspective of the present? At the time people thought they were doing the right thing by the children.**

The Inquiry was careful to evaluate past actions in the light of values and legal standards operating at that time. It has become clear since the release of the Inquiry's report that although many Australians knew that Indigenous children were removed, they did not know of the extent of the laws which made removal possible or the atrocities that those children suffered. There were also many Australians that simply did not know that Indigenous children were systematically removed from their families for decades. The outrage expressed today at the findings of the Inquiry could well have been just as strong in the past if the same information had been publicly available.

Dissenting voices were not absent at the time of these policies and practices, they were simply not listened to. In November 1950 the Government Secretary to the administrator of the Northern Territory, R.S. Leydin, wrote:

*I cannot imagine any practice which is more likely to involve the government in criticism for violation of the present-day [1950] conception of 'human rights'.*

The Australian Aborigines Progress Association in 1928 said:

*...girls of tender age and years are torn away from their parents...and put to service in an environment as near to slavery as it is possible to find.*

Fred Maynard, an Aboriginal activist, wrote to the Premier of NSW in 1927 demanding that:

*...the family life of Aboriginal people shall be held sacred and free from invasion and interference and that the children shall be left in the control of their parents.*

## **7. Why was the forcible removal of Aboriginal and Torres Strait Islander children genocide?**

The crime of genocide does not necessarily mean the immediate physical destruction of a group. The *Convention on the Prevention and Punishment of the Crime of Genocide*, which was adopted by the United Nations in 1948 and ratified by Australia in 1949, defines genocide in Article II as such:

*In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:*

*(a) Killing members of the group;*

*(b) Causing serious bodily or mental harm of members of the group;*

*(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*

*(d) Imposing measures intended to prevent births within the groups*

*(e) Forcibly transferring children of the group to another group.*

The *Convention* recognises that genocide is a crime against humanity and expressed a shared international outrage about genocide and empowered any country to prosecute an offender.

The Inquiry's examination of historical documents found that the clear intent of removal policies was to absorb, merge or assimilate children so that Aboriginal people, as a distinct racial group, would disappear.

Policies and laws are genocidal even if they are not solely motivated by animosity or hatred. The Inquiry found that a principle aim of removing children was to eliminate Indigenous cultures as distinct entities. The fact that people may have believed they were removing Indigenous children for 'their own good' was immaterial. The removal remains genocidal.

The Inquiry found that the forcible removal of Indigenous children was a gross violation of their human rights. It was racially discriminatory and continued after Australia, as a member of the United Nations from 1945, committed itself to abolish racial discrimination.

The Inquiry also concluded that even before international human rights law developed in the 1940s the treatment of Indigenous people breached Australian legal standards.

## **8. Why do people from the 'stolen generations' deserve compensation?**

The National Inquiry's third term of reference specifically requested that the Human Rights and Equal Opportunity Commission:

*examine the principles relevant to determining the justification for compensation for persons or communities affected by such separation;*

It became apparent at an early stage in the Inquiry proceedings that the issue of compensation was only one aspect of a broad range of desired responses from institutions by the survivors of separation. This is why the Inquiry report addresses compensation as part of a broader concept of reparation.



'Reparation' is the appropriate response to gross violations of human rights. According to international legal principles, reparation has five parts:

1. *acknowledgment of the truth and an apology;*
2. *guarantees that these human rights won't be breached again;*
3. *returning what has been lost as much as possible (known as restitution);*
4. *rehabilitation; and*
5. *compensation.*

In the words of one woman who gave evidence to the Inquiry:

***The Government has to explain why it happened. What was the intention? I have to know why I was taken. I have to know why I was given the life I was given and why I'm scarred today. Why was my Mum meant to suffer? Why was I made to suffer with no Aboriginality and no identity, no culture? Why did they think that the life they gave me was better than the one my Mum would give me?***

***And an apology is important because I've never been apologised to. My mother's never been apologised to, not once, and I would like to be apologised to.***

***Thirdly, I've been a victim and I've suffered and I'll suffer until the day I die for what I've never had and what I can never have. I just have to get on with my life but compensation would help. It doesn't take the pain away. It doesn't take the suffering away. It doesn't take the memories away. It doesn't bring my mother back. But it has to be recognised.***

***And I shouldn't forget counselling. I've had to counsel myself all my life from a very young age. And in the homes I never showed my tears... I've been told that I need to talk about my childhood. I need to be counselled for me to get back on with my life***

By way of making reparation the report of the National Inquiry suggested recording testimonies of all those removed; acknowledgment and apology by those institutions involved in removing children; commemoration in the form of a national Sorry Day; public education for all Australians on the 'stolen generations'; prioritising reunion; developing language, culture and history centres; assisting people who were removed to identify as Indigenous; and establishing a National Compensation Fund.

## **9. Why do Indigenous people say that their children are still being taken?**

It was widely recognised in the Indigenous community that any Inquiry into past removals of children must include an investigation into contemporary practices of separating Indigenous children from their families. This is why a specific term of reference was included in the Inquiry to:

*examine current laws, practices and policies with respect to the placement and care of Aboriginal and Torres Strait Islander children and advise on any changes required taking into account the principle of self-determination by Aboriginal and Torres Strait Islander peoples.*

Although laws specifically designed to remove Indigenous children from their families were officially repealed decades ago, as far as Indigenous people are concerned, their children continue to be removed through the child welfare and juvenile justice systems. Due to the entrenched disadvantage and ongoing dispossession of Indigenous Australians, contemporary laws continue to discriminate against Indigenous families where raising children is concerned.

*Aboriginal families continue to be seen as the 'problem', and Aboriginal children continue to be seen as potentially 'saveable' if they can be separated from the 'dysfunctional' or 'culturally deprived' environments of their families and communities. Non-Aboriginals continue to feel that Aboriginal adults are 'hopeless' and cannot be changed, but Aboriginal children 'have a chance'.*

The Inquiry found that Indigenous children are six times more likely to be removed for welfare reasons and 21 times more likely to be in juvenile detention than non-Indigenous children. There are many reasons for these high rates of removal, including continuing cultural bias against Indigenous modes of parenting, inadequate and inappropriate services for Indigenous families and discriminatory treatment of young Indigenous people before the law.

After countless reports documenting the damaging effects of removing Indigenous children from their families and communities and recommending alternative ways of dealing with the problems, we cannot say today that we do not know that continuing these practices is wrong. (See Chapter 3, *The New Stolen Generation*.)

Supporting Indigenous families and communities to find their own solutions regarding their children works better than removal. Indigenous children should be placed with Indigenous families wherever possible. Strengthening families and communities is far better than punishing their children.

In July 1996 Australia's Prime Minister, John Howard, had this to say about the value of families:

*I believe that Australian families not only provide the greatest source of emotional and spiritual comfort to Australian individuals but beyond that a functioning united coherent family is the most effective social welfare system that any nation has ever seen.*

*And the widening gap between rich and poor, much of the social disintegration of this country and much of the unemployment of this country can be traced to the disintegration of family life.*

Given the Prime Minister's reluctance to officially apologise to the 'stolen generations', this statement is ambiguous and contradictory. It appears, once again, to be a case of the government dictating one set of values for Indigenous Australians, and another for the rest of the country.

It must be recognised that Indigenous families and communities are entitled to the capacity and the power to do what they were denied in the past. That is, to raise and care for their families without fear of discriminatory institutional intervention. Indigenous peoples have the right to bring up their own children.

## Articles from BBC

### UK Politics

#### Labour race record attacked

The civil service: Cold-shouldering non-whites?

Moves to boost the numbers of people from ethnic minorities in positions of power have been dismissed as inadequate by a leading figure from the Islamic community.

At present black and Asian people make up 3.5% of the population, but account for just 1.7% of public appointments and 1.75% of senior managerial positions.

Cabinet ministers plus police and service chiefs, top civil servants and national newspaper editors have been discussing ways to reverse that trend at a one-day conference in London.

The event, organised by the Lord Chancellors Department Minister Keith Vaz, has also seen the unveiling of several initiatives aimed at increasing minority representation.

However, Ahmed Versi, the editor of Muslim News, said that the conference had actually illustrated that there was "lack of political will" to tackle the problem effectively.

He said that although there had been many speeches about the need to recruit more people from ethnic minorities, there had been few concrete promises of the sort of action he thought was needed to make major improvements.

#### Labour's record attacked

Mr Versi attacked the Labour Party, saying it had failed to select adequate numbers of Muslim candidates.

"It did not select any Muslims in the Scottish elections and selected only one Muslim in an unwinnable seat for the European elections," he said.

"How can the Muslim community take the government seriously when it claims that they are interested in having more Muslims in Parliament?"

"I believe to be influential you have to be in politics and to be elected you have to be selected as a candidate. So it is up to the parties and particularly the leaders to do it.

"The prime minister says many fine things. But there needs to be the political will to do it. How come the Tory Party managed to get a Muslim MEP - there was the political will.

"There is not one ambassador or high commissioner who is from the ethnic minorities. If Tony Blair wanted it to change it would."

Mr Versi also called for more ethnic minority recruits to the civil service to be fast-tracked to senior positions.

## 'Massive potential'

However, Mr Vaz, one of the first government ministers from an ethnic minority, said the conference represented a concerted effort to halt inequality.

"It is clear that organisations in this country do not realise the massive potential of this country's ethnic minorities. It is not a question of political correctness, but of seeing that they are offered full opportunities," he said.

"I think it is fundamental to take measures to improve their level of representation and bring our black and Asian people into leadership."

Among the schemes announced was a "mentoring" programme to allow black and Asian employees to shadow their bosses and top executives - including the editor of The Sun, David Yelland.

Cabinet Office Minister Jack Cunningham also announced that government departments would be participating in the first ever civil service career fair aimed at ethnic minority applicants.

The fair will take place at Westminster Central Hall in London on 7 July.

## 'Less paper, more results'

Cabinet Secretary Sir Richard Wilson, the UK's top civil servant, told the conference that he was determined that this and other initiatives should bring real improvements in minority representation.

"The equal opportunities agenda has led to huge amounts of paper over the last 10 years or so, and some improvement in our record.

"What we want to see now is less paper and more results, real visible results, based not on tokenism but on merit and on recognising talent wherever it is to be found," he said.

The UK's Chief of Defence Staff, General Sir Charles Guthrie, also reiterated the commitment of the armed forces to attract more recruits from ethnic minorities.

"Let there be no doubt - the services have now firmly gripped racial equality and diversity. We have no intention of letting go."

## Ethnic minorities hit by 'severe' poverty

Children from ethnic minorities are more disadvantaged

Children from ethnic minorities are more likely to be living in poverty in Britain than white children, according to a new report.

Around a third of all children in Britain are living in poverty, but for Bangladeshi and Pakistani children the figure is 73%.

The report, by Child Poverty Action Group found 63% of black African children and 40% of Caribbean children live in poverty - where family income is less than 60% of the national average.

The group concluded that children from ethnic minorities are disadvantaged by discrimination and racism.

"The causes of poverty are complex, but there is strong evidence that discrimination and racism towards ethnic minorities continues to contribute to the risk of living in poverty," said director Martin Barnes.

"Discrimination creates unequal opportunities and unequal outcomes."

Benefits difficulties

Shadow work and pensions minister Oliver Heald said he supported the call for more research into the problem.

He suggested that one of the reasons for the inequality was that people from minority ethnic groups faced particular hurdles when claiming benefits.

"One of the main reasons why Labour failed to meet its pledge to lift over one million children out of poverty during the last Parliament is low benefit take-up," he said.

Among the report's findings were:

- Employment rates among working age Bangladeshi adults are 35%, compared to 75% in the population as a whole
- Economic activity rates among Pakistani women are half those for women overall
- 75% of Indians are in full time education at age 18 compared with 42% of the population as a whole.

Friday, 19 April, 2002, 16:15 GMT 17:15 UK

## **Can there be lasting peace in Sri Lanka?**

**Sri Lanka's prime minister has said he sees a real chance of ending the country's 18-year bloody civil war after a historic statement by the leader of the Tamil Tiger rebels.**

Prime Minister Ranil Wickramasinghe said Tamil Tiger chief Velupillai Prabhakaran's rejection of new suicide bomb attacks created a "window of opportunity" for peace.

In his first news conference to the media for 12 years, the rebel leader said that he was not ready yet to abandon the rebels' demand for an independent Tamil state but was willing to discuss the establishment of a Tamil-led interim administration in rebel-held areas.

Tamils, who make up about 18 percent of Sri Lanka's 18.6 million people, claim that they suffer discrimination by the island's Sinhalese majority in education, employment and politics.

**Can 18 years of ethnic violence now be brought to an end? Do you think there can be a lasting peace in Sri Lanka?**

## **Sarkozy call to help minorities**

**Positive discrimination is the only way to guarantee equal opportunities for all people in France, Interior Minister Nicolas Sarkozy has said.**

Mr Sarkozy says he wants the law to ensure equal opportunities in practice - without introducing ethnic quotas.

High unemployment and discrimination against young black and Arab people have been blamed for a wave of rioting in several French cities in late 2005.

President Jacques Chirac opposes the principle of positive discrimination.

For him and for Prime Minister Dominique de Villepin, such policies only increase the differences between communities and are against the traditional French republican model.

The government wants more use of anonymous CVs.

One scheme in Bordeaux showed that job seekers tended to get more interviews when employers could not see their name or address.

But for Interior Minister Sarkozy, voluntary measures are not enough.

He wants the law to impose what he calls French-style positive discrimination - not to introduce ethnic quotas, he says, but to ensure equal opportunity in practice.

Not for the first time, the outspoken interior minister is not afraid to swim against the official tide.

He has praised schemes such as that run by Sciences Po, the prestigious school of political science in Paris, which reserves some places for students from deprived areas.

And he has instructed another higher education institution to set up what he calls a "positive discrimination laboratory".

Many young people in deprived areas complain that their CVs are barely looked at because of their background.

One study revealed that people with north African names were five times less likely to get job interviews than those with traditional French names.

## **Iraq to ban Kurd rebel operations (Tuesday, 23 October 2007, 23:04 GMT 00:04 UK)**

### **Iraq says it will close the offices of the Kurdistan Workers Party (PKK) rebel group and will "not allow it to operate on Iraqi soil"**

Prime Minister Nouri Maliki said he would also "work on limiting its terrorist activities which are threatening Iraq and Turkey".

The PKK has been blamed for a number of recent deadly raids inside Turkey.

Turkey has come under intense public pressure to use force after its parliament approved cross-border raids.

Prime Minister Recep Tayyip Erdogan said Ankara was considering sanctions on Iraq over incursions by the PKK.

The US military commander in Iraq, Gen David Petraeus, has told the BBC it would be very difficult for anyone to police Iraq's northern border but pressure should be put on the PKK.

### **'No ceasefire'**

Mr Maliki said in Baghdad after meeting visiting Turkish Foreign Minister Ali Babacan: "The PKK is a bad terrorist organisation and we have taken a decision to close its offices and not allow them to work on Iraqi soil."

Mr Babacan earlier said Turkey would put the emphasis on a diplomatic solution.

"Politics, dialogue, diplomacy, culture and economy are the measures to deal with this crisis," he said.

Mr Babacan rejected any ceasefire with the PKK, saying this was not possible with a "terrorist organisation".

In the past week, Turkey has been building up its military presence on the border with Iraq and, on the other side, PKK rebels have stepped up their attacks against Turkish troops.

There are thought to be about 3,000 PKK rebels based in Iraq.

The rebels claim to have captured several troops following an attack on Sunday that left 12 soldiers dead. The Turkish military says eight soldiers are missing.

Tens of thousands of Turks protested across the country on Tuesday during the funerals of the troops who were killed.

About 10,000 people attended the funeral of Vedat Kutluca in Keskin, 100km (62 miles) east of Ankara.

The Anatolia news agency said 50,000 marched in the western city of Aydin.

In London, Mr Erdogan said: "We may impose some sanctions with respect to some goods we export to Iraq."

He did not specify what might be embargoed but mentioned Turkey had been helping Iraq with water, fuel and food. "I believe the countries who believe in fighting jointly against terrorism will understand this response, if we choose to display it, because terrorism is a scourge for mankind."

At a news conference with UK Prime Minister Gordon Brown, Mr Erdogan said Turkey had no territorial designs on Iraq.

But he added that the Turkish military could use force against the PKK "at any time" if Baghdad failed to act.

### **US dilemma**

Speaking to the BBC World Service, Gen Petraeus pointed out the difficulty of carrying out operations in the border mountains.

"It's really in a tri-border area where the recent clashes took place, with Turkish, Iraqi and Iranian borders in that location, in extreme terrain for carrying out operations," he said.

He suggested that Kurds in the north of Iraq had channels of communication to the PKK and should use them to dissuade them from further attacks.

They could, he said, "get them [the PKK] to step back off the ledge... and not make a very difficult situation worse than it already is".

The commander added that the US had found itself in an "exceedingly difficult position" between Nato ally Turkey and Iraq, an ally in the fight against "difficult insurgent enemies".



## **Timeline: Iraqi Kurds**

### **A chronology of key events:**

**1918** - After the defeat of the Ottoman Empire in World War I, British forces occupy the oil-rich Ottoman vilayet (province) of Mosul, bringing extensive Kurdish-populated areas under British rule.

**1919** - Mosul area is added to the new Iraqi state, which comes under a British mandate.

**1920** - Treaty of Sevres, signed by the defeated Ottoman government, provides for a Kurdish state, subject to the agreement of the League of Nations. Article 64 of the Treaty gives Kurds living in the Mosul vilayet the option of joining a future independent Kurdistan.

**1921** - Emir Faysal crowned king of Iraq, including Mosul.

### **Uprising**

**1923** - Shaykh Mahmud Barzinji rebels against British rule and declares a Kurdish kingdom in northern Iraq.

**1923** - Kemal Ataturk's newly founded Turkish Republic gains international recognition with the Treaty of Lausanne. The Treaty of Sevres is not ratified by the Turkish parliament.

**1924** - Sulaymaniyah falls to British forces.

**1932** - Uprising in the Barzan region to protest at Iraq's admittance to the League of Nations, while Kurdish demands for autonomy are ignored.

**1943** - Mullah Mustafa Barzani leads another uprising, and wins control of large areas of Irbil and Badinan.

**1946 August** - British RAF bombing forces Kurdish rebels over border into Iran where they join Iranian Kurds led by Qazi Mohamed, who founds an independent Kurdish state in Mahabad.

**1946** - Kurdistan Democratic Party (KDP) holds its first congress in Mahabad. Within a few months, the "Mahabad Republic" collapses under attack from Iranian forces, and Mustafa Barzani flees to the Soviet Union.

**1951** - A new generation of Kurdish nationalists revives the KDP. Mullah Mustafa Barzani is nominated president while in exile in the Soviet Union, but the real leader of the KDP is Ibrahim Ahmad, who favours close ties with the Iraqi Communist Party.

**1958** - Overthrow of the Iraqi monarchy allows Kurdish nationalists to organise openly after many years in hiding. A new Iraqi constitution recognises Kurdish "national rights" and Mullah Mustafa Barzani returns from exile.

**1960** - Relations between the Iraqi government and Kurdish groups become strained. The KDP complains of increasing repression.

**1961** - KDP is dissolved by the Iraqi government after Kurdish rebellion in northern Iraq.

### **Autonomy granted**

**1970** March - Iraqi government and the Kurdish parties agree a peace accord, which grants the Kurds autonomy. The accord recognises Kurdish as an official language and amends the constitution to state that: "the Iraqi people is made up of two nationalities, the Arab nationality and the Kurdish nationality."

**1971** August - Relations between the Kurds and the Iraqi government deteriorate. Mullah Mustafa Barzani appeals to the US for aid.

**1974** March - Iraqi government imposes a draft of the autonomy agreement and gives the KDP two weeks to respond. Mullah Mustafa Barzani rejects the agreement, which would have left the oilfields of Kirkuk under Iraqi government control, and calls for a new rebellion.

**1975** March - Algiers Accord between Iran and Iraq ends Iranian support for the Kurdish uprising, which collapses. Barzani withdraws from political life.

**1975** June - Jalal Talabani, a former leading member of the KDP, announces the establishment of the Patriotic Union of Kurdistan (PUK) from Damascus.

**1978** - Clashes between KDP and PUK forces leave many dead.

**1979** - Mullah Mustafa dies, his son Massoud Barzani takes over the leadership of the KDP.

### **Iranian involvement**

**1980** - Outbreak of war between Iran and Iraq. KDP forces work closely with Iran, but the PUK remains hostile to cooperation with Tehran.

**1983** - An Iranian counterattack opens a northern front in Kurdish northern Iraq. With support from KDP fighters, Iranian troops take the key town of Hajj Umran. Human rights organisations say Iraqi troops killed around 8,000 men from the KDP leader's home area of Barzan in revenge.

**1983** - PUK agrees to a ceasefire with Iraq and begins negotiations on Kurdish autonomy.

**1985** - Under increasing Iraqi government repression, the ceasefire begins to break down. Pro-Iraqi government militia men kill Jalal Talabani's brother and two nieces.

**1986** - Iranian government sponsors a meeting reconciling the KDP and PUK. Now both major Kurdish parties are receiving support from Tehran.

**1987** - Jalal Talabani and Massoud Barzani join forces with a number of smaller Kurdish factions to create the Kurdistan Front.

**1988** - As the Iran-Iraq war draws to a close, Iraqi forces launch the "Anfal Campaign" against the Kurds. Tens of thousands of Kurdish civilians and fighters are killed, and hundreds of thousands forced into exile, in a systematic attempt to break the Kurdish resistance movement.

**1988** 16 March - Thousands of Kurdish civilians die in a poison gas attack on the town of Halabjah near the Iranian border. Human rights watchdogs and Kurdish groups hold the Iraqi regime responsible.

**1991** March - After the expulsion of Iraqi troops from Kuwait in March 1991, members of the pro-government Kurdish militia, the Jash, defect to the KDP and PUK, but the uprising grinds to a halt and US-led forces refuse to intervene to support the rebels. Around 1.5 millions Kurds flee before the Iraqi onslaught, but Turkey closes the border forcing hundreds of thousands to seek refuge in the mountains.

### **Safe haven**

**1991** April - Coalition forces announce the creation of a "safe haven" on the Iraqi side of the border. International aid agencies launch a massive aid operation to help the refugees. Meanwhile, Jalal Talabani and Massoud Barzani open negotiations with Saddam Hussein on autonomy for Kurdistan.

**1991** July - Talks continue in Baghdad, but Kurdish peshmerga forces take control of Irbil and Sulaymaniyah, in defiance of Iraqi government orders.

**1991** October - Fighting between Kurdish and Iraqi government forces breaks out in earnest. Saddam Hussein fortifies the border of Kurdish-held northern Iraq and imposes a blockade.

**1992** May - Elections held in areas under Kurdish control give KDP candidates 50.8% of the vote, while the PUK takes 49.2%. The two parties are equally balanced in the new Kurdish government.

**1992** September - Newly-established Iraqi National Congress (INC), which brings together a wide-range of Iraqi opposition groups, meets in Salah-al-Din in the Kurdish-held north. KDP and PUK representatives take part.

**1994** May - Clashes between KDP and PUK forces spill over into outright civil war. The PUK captures the towns of Shaqlawah and Chamchamal from the KDP.

**1996** May - UN agrees "Oil-for-Food" programme with Baghdad; 13% of the proceeds from Iraqi oil exports are earmarked for the three northern governorates, which are largely under Kurdish control.

**1996** August - Masoud Barzani appeals to Saddam Hussein for help to defeat the PUK.

**1996** September - With the help of Iraqi government troops, KDP forces seize the northern city of Irbil and take the PUK stronghold of Sulaymaniyah. A new KDP-led government is announced at the parliament building in Irbil.

**1996** October - PUK forces retake Sulaymaniyah.

**1997** January - PUK announces a new government based in Sulaymaniyah. Both the PUK and KDP claim jurisdiction over the whole of the Kurdish-controlled north.

**1998** September - Jalal Talabani and Masoud Barzani sign a peace agreement in Washington, but government of the Kurdish region remains split between the two rival administrations.

**2000** November - In a letter to the United Nations secretary-general, the PUK accuses the Iraqi government of expelling Kurdish families from Kirkuk.

**2001** September - Fighting breaks out between the PUK and the Islamic fundamentalist group Jund al-Islam, later renamed Ansar al-Islam.

### **Moves toward unity**

**2002** June - PUK and KDP officials take part in joint discussions with other Iraqi groups aimed at coordinating the work of the opposition in the event of a US-led military campaign against Iraq.

**2002** October - Joint session of the Kurdish parliament convenes in Irbil. KDP and PUK parliamentarians agree to work together during a "transitional session" until new elections can be held.

**2003** February - US Secretary of State Colin Powell accuses Iraqi Kurdish Islamist group Ansar al-Islam of playing a pivotal role in linking Osama Bin Ladin's al-Qaeda network with the Iraqi regime.

**2003** February - Kurdish leaders reject proposals to bring Turkish troops into northern Iraq as part of a US-led military campaign to oust Saddam Hussein. Anti-Turkish demonstrators take to the streets of Kurdish towns.

**2003** February - Failure of a parliamentary bill allowing US troops to deploy on Turkish soil hits American plans to open a northern front against Iraq.

**2003** 3 March - KDP and PUK create a "joint higher leadership" in the Kurdish-held north, under the chairmanship of the two party leaders, Massoud Barzani and Jalal Talabani.

### **US-led campaign against Iraq**

**2003** 20 March - US-led coalition forces invade Iraq and begin bombardment of Baghdad and other cities. Mosul and Kirkuk near the Kurdish enclaves come under heavy fire.

**2003** 22 March - Coalition forces launch Cruise missile attack on bases held by Ansar al-Islam in the north. Dozens killed in the headquarters of the Islamic Group, an unrelated radical Islamist faction when a missile hits the Khormal area.

**2003** 27 March - Hundreds of US paratroopers land near Irbil, signalling the opening of a northern front in the war on Iraq.

**2003** 9 April - US forces advance into central Baghdad. Saddam Hussein's grip on the city is broken. In the following days Kurdish fighters and US forces take control of the northern cities of Kirkuk and Mosul.

**2003** July - Interim governing council (IGC) meets for first time. Saddam's sons Uday and Qusay killed in gun battle in Mosul.

**2004** 1 February - At least 56 people die and more than 200 people are injured after a double suicide bombing at the offices of the two main political Kurdish parties in the northern city of Irbil. Several senior political figures are among the dead.

**2005** January - An alliance of Kurdish parties comes second in Iraq's landmark national election, sending 77 deputies to an interim parliament.

**2005** April - PUK leader Jalal Talabani is elected as interim Iraqi president by MPs.

**2005** May - At least 50 people are killed in a suicide bomb attack on police recruits in Irbil.

**2005** June - First session of Kurdish parliament held in Irbil; KDP's Massoud Barzani is president of autonomous region.

**2005** December - News that a foreign firm has begun drilling for oil in the Kurdish north sparks new fears of secession among Iraqi Sunni leaders. Kurdish authorities later report a "major discovery" of oil.

**2006** September - Massoud Barzani orders the Iraqi national flag be replaced with the Kurdish one in government buildings. But Iraq's Prime Minister Nuri al-Maliki says: "The Iraqi flag is the only flag that should be raised over any square inch of Iraq."

**2006** September - Five blasts caused by one suicide truck bomb and four car bombs kill 23 people in Kirkuk.

The BBC's Newsnight programme reports that former Israeli commandos secretly trained Kurdish soldiers in Northern Iraq to protect a new international airport and in counter-terrorism operations.

**2007** April - The head of Turkey's military says his country should launch an operation against Kurdish guerillas based in northern Iraq.

**2007** May - The Kurdish regional government takes over responsibility for security in the three Kurdish provinces from the US forces.

**2007** July - Human Rights Watch gives details of torture and abuse in prisons run by the Kurds in the Kurdish area of northern Iraq.

## **New shoe targets Native Americans**

**A running shoe said to be designed specifically for Native American feet has been released in the United States.**

Manufacturer Nike says the design was based on research findings that Native Americans have wider than average feet.

The company says it hopes to contribute to programmes aimed at improving fitness and combating obesity among Native American communities.

The Air Native N7 will be available at cost to tribal organisations and schools, which will distribute them.

"Nike is aware of the growing health issues facing Native Americans," Sam McCracken, manager of Nike's Native American Business programme, said in a company statement.

"We believe physical activity can and should be a fundamental part of the health and wellness of all Native Americans."

The shoe is intended for use in a range of sports.

Its design was based on research that involved more than 200 men and women from 70 Native American communities across the United States, which concluded that Native Americans had wider and higher feet than the general population.

## **Racial and religious minorities tend to be under-represented in legislatures (Economist)**

THE political representation of racial minorities troubles in almost every country, rich or poor. At one end of the income scale, Switzerland held an election on October 21st that turned on the treatment of foreigners—perhaps understandably in a country where a fifth of the population is foreign-born but which has hardly any minority members of parliament. At the other end of the scale, Sudan took a jolt recently when a party representing the black, mostly Christian south pulled out of the predominantly Arab and Muslim coalition that runs the government.

Every society is composed of minorities of one sort or another, but few people believe that left-handers, redheads, homosexuals or Elvis impersonators have a claim on any particular degree of representation in elected legislatures. In so far as racial minorities are different, it is because they more often suffer discrimination.

In general, minorities are indeed under-represented. A powerful group, such as South Africa's whites, may secure more seats in the legislature than their numbers might suggest. But that is an exception (see table). France is more typical. Although minorities account for about 12% of its population, only two of the 555 members of the lower house elected in metropolitan (non-overseas) France represent the country's blacks, Asians and North Africans. In many countries there seems little relationship between the size of a minority and how many legislators it has. Why so?

Part of the puzzle is that people count minorities differently. Latin American immigrants are considered a minority in the United States, but not in Spain. More significant, though, are the differing characteristics of people who find themselves lumped together as "minorities" but have little in common except ethnic origin or membership of a religious group.

Ethnic minorities in a rich country might be classified, as in America, under the headings indigenous, racial or newly arrived. They might equally be categorised as illegals, refugees or economic migrants. Each group behaves differently. Some, like America's Amish, may be reluctant to integrate. Some may also be uninterested in formal political representation.

In due course, though, minorities usually want to take a full part in the political life of their country. Inevitably, the obstacles in their way depend partly on the attitude of the majority.

The French, by and large, frown on both discrimination and special preferment. The Netherlands is more ready to promote minority representation. After the success of an anti-immigration party in the 1990s, the mainstream Dutch parties made great efforts to show how multicultural they were by putting up immigrants as candidates. Of the 11 parties in the Dutch parliament, seven now have minority MPs.

The attitude to politics of the minority group itself also matters. Nigel Roberts of the University of Wellington points out that in New Zealand the Asian minority outperforms the indigenous Maoris in terms of education, health and employment. But the Maoris, steeped in a tradition of political involvement, hold 17% of the parliamentary seats (higher than their 15% population share), whereas Asians, who account for 9% of the population, have less than 2% of the seats.

The Maoris have another advantage: seven seats (out of 121) are reserved for them. Such formal arrangements help to explain why some countries are more successful at involving minorities than others. India reserves nearly a quarter of the seats in its lower house for "scheduled castes" and "scheduled tribes". In Romania 18 ethnic groups each receive a guaranteed parliamentary seat. Lebanon reserves the presidency for Maronite Christians.

Minorities' political participation is also affected by the ease or difficulty of gaining citizenship. Why does Canada's Parliament have so many more minority members than Germany's Bundestag? Partly because immigrants to Canada can apply for citizenship after only three years, whereas in Germany they need eight years plus a job. No wonder Canadian parties try harder to appeal to foreign-born voters.

The voting system can also make a difference. Andrew Reynolds of the University of North Carolina found in a survey of 31 countries that proportional representation (PR) tends to attract more minority candidates than first-past-the-post voting. One reason is that PR usually requires party lists, and it is easier to have minority candidates on a long slate than to choose a single nominee who must appeal to all the voters in just one constituency. In Britain's House of Commons, elected on the first-past-the-post system, 2.3% of the MPs are brown or black; but in Britain's delegation to the European Parliament, chosen by PR, the share is 6.4%.

Does any of this really matter? In an extensive study, the Minority Rights Group, a British NGO, found that, with the exception of Iraq, countries with the highest minority representation turn out to be those where minorities are pretty safe from political and military threats. That does not necessarily mean that more minority MPs will improve race relations. The causation may run the other way: minority politicians may win election when race relations are good. But promoting minority representation in legislatures is likely to reduce political alienation among minorities. That in itself can be no bad thing.

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