



GMPA

Global Migration Policy Associates

An International research, policy development,
advisory services and advocacy group

EXPERT STATEMENT

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LANGUAGE, SURVIVAL OF MINORITY AND INDIGENOUS PEOPLES, AND MEASURES FOR RECOGNITION, PRESERVATION, TEACHING AND USAGE OF LANGUAGES

I congratulate the organisers for the choice of topic for this 12th Forum on Minority Issues. Language –and its education-- is one of most important existential human rights challenges today, for survival itself of many racial-ethnic and indigenous communities and nations around the world.

This subject is natural for the Minority Forum in this 2019 *International Year of Indigenous Languages*.²

It is not just about human rights, nor about rights to language per se. It's about the right for peoples to exist – each as a distinct human identity, community, minority.

Language is the most specific, distinct and verifiable marker of minority and indigenous identity. Every people, every distinct indigenous and/or minority community/people/nation has its own language, that is the basis of their cultural and ethnic identity –and fundamental to the identify of every individual member of that community.

As UNESCO states, “all languages, are depositories and vehicles of **culture, knowledge, values and identity**, whose loss represents an impoverishment for humanity as a whole, and a tragic disempowerment –I add *destruction*-- for the communities...prevented from transmitting their mother tongue to their children.”³

There are some 7,000 known languages according to UNESCO.⁴ The Summer Institute of Linguistics Ethnologue says there are 7,111 spoken languages.⁵ Both entities say 40% of known languages are endangered. UNESCO highlights that 4% of known languages already extinct.⁶ As are in essence the peoples who spoke those languages, certainly their community and identity. That is over 260 distinct minorities that have disappeared. Peoples, not people; minorities in all contexts.

Another 17% of known languages are either critically or severely endangered. That is over 1,000 minority identities, communities, peoples that are facing social extinction.

However, there is no concerted international effort to identify, protect, preserve and maintain usage of all existing languages. The main and only global contemporary effort on language identification and usage

¹ ***This paper is presented in the author's individual expert capacity.*** It does not necessarily represent views of GMPA or of other GMPA member Associates.

² International Year of Indigenous Languages website at: <https://en.iyil2019.org/>

³ In UNESCO “Launch of International Year of Indigenous Languages 2019” at <https://en.unesco.org/news/launch-international-year-indigenous-languages-2019>

⁴ *ibid*

⁵ <https://www.ethnologue.com/guides/how-many-languages>

⁶ See graph at: <https://en.unesco.org/news/towards-world-atlas-languages>

worldwide is the Ethnologue project of the Summer Institute of Linguistics, a private, religiously-motivated institution based in the USA.⁷

Other speakers have contributed perspective on language as key to identity and to survival and welfare of many communities –and to protection of both their human rights and their right to remain in existence. This particularly now in the post-colonial era of homogenising globalisation promoting --indeed imposing-- dominant identities, language and values at expense of *other* –minority and indigenous—identities, languages and values.

I speak from 50 years of own experience and expertise working with people on issues related to language, identity and rights. In the 1960s, direct participation in school racial desegregation. In the '70s supporting refugee resettlement and integration. In the 80s working to ensure sanctuary in North America for indigenous communities fleeing extermination campaigns in Guatemala. Since the 1990s on migrant, refugee and immigrants rights and welfare, including in Africa, Central and South America, Europe and Eurasia.

12 salient points for this discussion from that experience –and study:

- 1) Migrants/immigrants/refugees are often and generally assimilated with “minority” in concept, public perception and normative treatment and legal application, notably in Western industrialized countries as well as elsewhere worldwide.
- 2) Language is used as a key mechanism for control and exclusion-- whether of indigenous peoples, of minorities, of migrants and refugees.
- 3) For 'outsiders', language is used to control access –language ability –in the dominant nation state language; working ability is increasingly imposed as condition for admission, for status adjustment, for attaining residency, and certainly for acquiring citizenship.
- 4) Exclusionary language policies are particularly discriminatory towards women and girls –especially those denied schooling and social participation. As well, to older women and to women from rural backgrounds.
- 5) Language is also effectively used as a gauge, a measurement, of assimilation to the dominant cultural-social-linguistic 'society.'
- 6) Language is used as a mechanism for structural segregation, systemic discrimination and direct exclusion from human rights protection.
- 7) Language is used as a mechanism of marginalisation and denigration; when languages are expressly dismissed and repressed as means to destroy, deconstruct or isolate 'other'/minority/oppressed group culture and identity –as means of control, domination, exploitation, expropriation.
- 8) Language is used as an instrument for domination of one powerful group over others, in nation states, in multi-ethnic spaces, in cities. Imposing a single 'national' language is strategic to organising social and political control at the behest of the group dominating the dominant language.
- 9) Disappearance of language is key to disappearing –making disappear-- cultures and identities meaning racial, ethnic, indigenous, religious, and cultural-linguistic identities.
- 10) Disappearance of language annihilates ability of people to communicate with each other in their own context –to validate, maintain and defend self-defined community, social, even family structure
- 11) Language is also used as a means to co-opt and proselytize indigenous and minority communities.
- 12) Language –language suppression-- is also used as a powerful instrument to dis-articulate and illegalize self-determination.

⁷ <https://www.sil.org/about>

A major challenge today is recognition of all spoken languages, allowance for usage, language reproduction and schooling, and mechanisms for communication between minority and indigenous languages and official institutions, access to essential services, etc.

Five recommendations.

I offer five recommendations for the conclusions of the 12th UN Forum on Minority Issues:

1) Elaborate the concept and normative framework of rights to language:

Every person –and every community-- has rights to their language, to use, teach and perpetuate language and cultural heritage, rights that need to be recognized in the law of the lands in which the community/minority group exists. While these are articulated in the *UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* (Adopted by General Assembly resolution 47/135 of 18 December 1992),⁸ that instrument remains non-binding, with no reporting nor independent international review.

2) Develop the concept, legal definitions and practice of recognized languages.

For recognition before the law in the countries in which the language and its minority/community/indigenous group exists. Non-recognition of language is a powerful weapon for non-recognition of minority existence and rights of those minorities and indigenous peoples.

3) Promote ratification of the most relevant existing international instrument, the *European Charter on Regional and Minority Languages* (1992) in the Council of Europe space of 54 countries.⁹ It can also be ratified by non-member states.

4) Propose a normative international convention on recognition, preservation, teaching and usage of languages. UNESCO has models in conventions on recognition of studies and educational qualifications and on diversity in cultural expression as well as the *Convention for the Safeguarding of the Intangible Cultural Heritage* (2003).¹⁰

5) Call for a concerted global plan of action to identify, recognize, protect, teach and maintain usage of all existing languages.

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Note as annex:

European Charter on Regional and Minority Languages (1992)

“This treaty aims to protect and promote the historical regional or minority languages of Europe. It was adopted, on the one hand, in order to maintain and to develop the Europe's cultural traditions and heritage, and on the other, to respect an inalienable and commonly recognised right to use a regional or minority language in private and public life.”

The Charter has requirement for periodic reporting and review of reports by a Committee of Experts, nominated by States parties. A limitation of the Convention is that it recognizes traditional/existent languages, but not those of migrants –whose communities constitute the equivalent of new minorities in many CoE countries.)

⁸ Full text of Declaration at: <https://www.ohchr.org/en/professionalinterest/pages/minorities.aspx>

⁹ Extensive information and text at: <https://www.coe.int/en/web/european-charter-regional-or-minority-languages>

¹⁰ Text of the Convention and other information at: <https://ich.unesco.org/en/convention>