

**Agenda item 7 Half-day discussions on indigenous languages**

**Presented by Lars-Anders Baer, member of the Permanent Forum on Indigenous issues**

Madame Chairperson

Allowed me too give a brief introduction of agenda item 7 on indigenous languages.

Indigenous peoples and their languages are threatened around the world. The loss of indigenous languages signifies not only the loss of traditional knowledge but also the loss of cultural diversity and spirituality. Dire as this situation is, there is a lack of awareness on the part of some Governments, indigenous peoples and the Intergovernmental system of the urgency for policy measures to reverse this trend.

Indigenous languages are treasures of vast traditional knowledge concerning Ecological systems and processes and how to protect and use some of the most vulnerable and biologically diverse ecosystems in the world. It is no coincidence that the areas where indigenous peoples live are the areas that contain the greatest biological diversity. In fact, biological, linguistic and cultural diversity are inseparable and mutually reinforcing, so when an indigenous language is lost, so too is the traditional knowledge for how to maintain aspects of the world's biological diversity. The protection of indigenous languages is therefore not only a cultural and moral imperative, but an important aspect of global efforts to address biodiversity loss, climate change and other environmental challenges.

The year 2008 has been proclaimed by the General Assembly as the International Year of Languages. Responding to the need for concrete public policies for the protection and promotion of indigenous languages, the United Nations Permanent Forum on Indigenous Issues, at its sixth session, recommended that the Economic and Social Council authorize the convening of an international expert group meeting on indigenous languages. At its regular session in July 2007,

the Council approved the Forum's recommendation in decision 2007/244 to hold the meeting, which was organized by the secretariat of the Permanent Forum. The expert meeting took place in New York, April 21 – May 2<sup>nd</sup> 2008. Several members in Permanent Forum attended the meeting together with invited experts, observers from departments, agencies, funds and programmes of the United Nations system, observers from other intergovernmental organizations, non-governmental organizations (NGOs) and Member States.

On 10 January 2008, the workshop adopted, by consensus, the conclusions and recommendations. The report and recommendations from the expert meeting can be finding in ECSOC document E/C.19/2008/3

In the report it is underlined that language rights must be implemented as a collective and an individual right

Madame Chairperson

During the expert meeting a number of examples of good practices ranging from university programmes to children's centres to political movements were presented. Regarding challenges, gaps and concerns the report emphasized that language rights, as part of cultural rights, are inadequately recognized in many countries. Language rights, as part of cultural rights, are also integral elements of the right to self-determination and should be viewed within the context of the universal, interdependent and complementary nature of human rights. For example, customary laws of indigenous communities are often in their languages, and if the language is lost the community may not fully understand its laws and system of governance. Loss of language also undermines the identity and spirituality of the community and the individual. The expert meeting also emphasized the importance of looking at language rights from a holistic perspective, and that language rights cannot be fully enjoyed in the absence of other basic human rights, health, decent work or self-determination.

The expert meeting also noted that some States seek the revitalization, preservation and promotion of indigenous languages, but language programmes are frequently under funded, while smaller language communities struggle to receive any funding at all.

Madame Chairperson

The expert meeting adopted a number of recommendations. Among others it recommended that the international community should begin drafting a convention to protect indigenous languages, identities, and rights and establishing international instruments to collect information and pursue violations related to language, cultural and indigenous rights, both in the public and private sectors, such as establishing an authority on language rights and a rapporteur, commissioner or agency on language discrimination.

Madame Chairman

Finally I want to highlight Expert paper prepared for the Permanent Forum on Indigenous Issues about Forms of education of indigenous children as crimes against humanity? The paper E/C.19/2008/7 is available both electronically and on paper.

The present expert paper was submitted by Robert Dunbar, Reader in Law and Celtic, The University of Aberdeen, United Kingdom, and Dr. Tove Skutnabb-Kangas, Åbo Akademi University Vasa, Finland, in collaboration with Lars-Anders Baer, current member, and Ole Henrik Magga, former member and Chair of the Permanent Forum.

In the paper following conclusion was drawn:

1. State education policies very frequently force indigenous children whose mother tongue is an indigenous language into education through the medium of the dominant state language.
2. Firstly, these policies play an important role in the process of language shift. One effect is on the indigenous *languages themselves*; they are underdeveloped in more formal areas because they

are not used in school. Another effect is on *attitudes*: children and parents tend to start believing that their language is worth less than the dominant language.

3. Secondly, the harmful consequences of the use of the dominant state language as the only language of instruction in schools is much more extensive. The use of the children's language has often been either overtly or covertly forbidden. This separation, most obvious when children have been removed from home and placed in residential schools, also occurs when all or most of the teachers come from the dominant group and do not speak the indigenous language. Such policies have often resulted not only in serious physical harm but also in very serious mental harm: social dislocation, psychological, cognitive, linguistic and educational harm, and, partially through this, also economic, social and political marginalization

4. Indigenous and other minority students experience the lowest rates of educational attainment, the lowest family incomes, and, particularly among Indigenous youth, the highest rates of depression and teen suicides.

5. It is now clear that governments are often aware of these and other adverse effects of forcing indigenous children to be educated through the medium of the dominant language. That States persist in such policies, given such knowledge, has been described as a form of linguistic and/or cultural genocide, or, in the words of Rodolfo Stavenhagen 1990, 1995), "ethnocide". Here we consider the possibility that such policies, implemented in the full knowledge of their devastating effects, constitute international crimes, including genocide, within the meaning of the United Nations' 1948 *Convention on the Prevention and Punishment of the Crime of Genocide* (the "Genocide Convention"), or a crime against humanity.

In this paper, the experts have considered the extent to which such education as above described can be considered to amount to genocide or crimes against humanity. The concept of "crimes against humanity" provides a good basis for an evolution that will ultimately lead to the stigmatisation through law of subtractive educational practices and policies. In the paper it is recommended that the UN Permanent Forum on Indigenous Issues considers what action it might take on this basis, taking in consideration what is lined out in the UN declaration on the rights of indigenous peoples concerning indigenous languages.

Thank You