

report

# LANGUAGE: A HUMAN RIGHT

How indigenous peoples  
protect their threatened languages



*For human rights. Worldwide.*



Society for  
Threatened Peoples

## Imprint

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Donation account: Bank für Sozialwirtschaft:  
(IBAN) DE07 2512 0510 0000 506070  
(BIC) BFSWDE33HAN

The STPI (german: Gesellschaft für bedrohte Völker (GfbV)) is a human rights organisation for persecuted ethnic and religious minorities; NGO with consultative status at the United Nations and with participatory status at the Council of Europe. Sections, offices and representatives in Arbil, Bern, Bolzano, Göttingen/Berlin, London, Luxembourg, New York, Sarajevo/Srebrenica.

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Published by the Society for Threatened Peoples in  
August 2019

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## List of abbreviations

ACM	Amazigh Cultural Movement
AMAN	Aliansi Masyarakat Adat Nusantara (Asian Muslim Action Network)
CONADI	Corporación Nacional de Desarrollo Indígena (National Corporation for Indigenous Development)
EMRIP	Expert Mechanism on the Rights of Indigenous Peoples
FNAA	La Fédération Nationale des Associations Amazighes (National Federation of Amazigh Associations)
IADRIP	Inter-American Declaration of the Rights of Indigenous Peoples of the Organization of American States (OAS)
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRAM	Institut Royal de la Culture Amazighe (Royal Institute of Amazigh Culture)
ILO	International Labour Organization
ILO Konvention 169	Convention 169 of the International Labour Organization
OAS	Organization of American States
PLC	Pama Language Center
RAIPON	Russian Association of the Indigenous Peoples of the North
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNPFII	United Nations Permanent Forum on Indigenous Issues
ESC-Rights	Economic, cultural and social rights



## Summary

Of the 7,000 languages worldwide, many are under serious threat. 4,000 of these languages are spoken by the earth's 370 million indigenous people. As the majority of the indigenous languages are only passed on in spoken form, they are especially likely to disappear. Linguists assume that there will only be 3,000 languages left by the end of the 21st century.

A language is an anchor of collective and cultural identity, and languages serve to pass on knowledge systems of entire cultures. When languages are lost, humanity loses large parts of centuries-old traditions – and the indigenous people lose their collective identity.

Due to the precarious development – and after many years of pressure from indigenous representatives – the United Nations declared 2019 the International Year of the Indigenous Languages, as a means to draw more attention to the aspects of diversity, protection, and revitalization of indigenous languages. Indigenous peoples, however, criticize that their opinions are not considered and that the measures actually taken are largely to be seen as a continuation of postcolonial practices, not as means of active support for those who actually speak the indigenous languages.

The protection of indigenous languages is an integral part of international law. In addition to general declarations and conventions, ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) explicitly state that indigenous peoples have collective, educational, and language rights. Thus, the states are obliged to implement appropriate measures for the protection and continued use of indigenous languages and education.

However, the gap between international law and everyday reality is huge: indigenous languages are scarcely present in public life, as they are socially marginalized and, thus, spoken only in private. Compared to non-indigenous school pupils, indigenous children are often disadvantaged when starting their school career. An education system that fails to teach indigenous languages as well reproduces and consolidates social inequalities. Language barriers lead to inadequate access to administrative or judicial procedures, making political participation more difficult. Sound knowledge of the majority language is often needed for opportunities in the labor market and in higher education. Thus, parents often teach their children the majority language in order to give them better education and career opportunities – while it is often the grandparents who try to teach them the indigenous language.

The problem behind this is to be seen in deep-rooted everyday racism, based on colonial structures. Indigenous people are marginalized, and the disappearance of indigenous languages is only one indicator among many. None of the countries considered in this report was able to come to terms with its colonial heritage and to recognize indigenous peoples as equals. In the 21st century, the nation state is still grappling with the challenges of a plurinational and multicultural reality.

The extent to which indigenous rights, including language rights, are enforced and actually effectuated depends on the degree of openness of democratic or semi-democratic states. While there are opportunities for co-determination in (semi-)democratic states, dictatorial states hardly acknowledge any indigenous rights.

A current example is China and its assimilation policy, due to which Uyghurs and other minorities are facing persecution if they dare to live according to their cultural identity. In Russia, indigenous movements are criminalized or neutralized. Apart from that, a non-recognition of indigenous communities – as in the case of India – is to be seen as a *de facto* repression of indigenous rights.

There are **no** so-called *best practice examples* in which at least one indigenous language is an equal part of a bilingual public life, neither in politics and administration nor in school education or higher education. People who speak an indigenous language are socially disadvantaged, are forced to catch up on the majority language, or have to deal with many forms of direct and structural discrimination. States such as Chile, Bolivia, Indonesia, Morocco, as well as Australia and Canada appear to be unable to make the learning of an indigenous language compulsory. For members of indigenous communities, however, it is always necessary to learn a language other than the native language.

Examples of good practice include Sweden, Norway, Finland, and New Zealand. The indigenous Sami or the Maori, for example, have – despite obvious deficiencies – better chances of getting along with their languages in the majority society. There are state-funded programs, and indigenous languages are also taught at universities and have chairs. Nevertheless, there is also everyday racism, so that the number of speakers of indigenous languages is on the decline. An indigenous language is worth less than the majority language. It is especially the young members of indigenous communities who have to consider how to balance efforts to preserve their indigenous identity with their individual opportunities.

Today, there is a lack of a generation of intermediaries who could help to revitalize languages that are threatened with extinction: many have already lost their language due to social pressure and discrimination, but also due to boarding school systems and assimilation policies. Currently, all promising initiatives to keep an indigenous language alive are based on commitment of indigenous communities, as evidenced by the examples presented in Part III. They try to pass on their language to the next generation using a variety of creative methods. So far, however, there is a lack of sufficient financial support from national and supranational institutions to keep these languages from going extinct.

## Recommendations

### The United Nations must

- counteract and point out everyday racism in post-colonial societies – and urge the member states to comply with the UN declarations and treaties, and to implement them. It will be necessary to initiate a UN Decade of Indigenous Languages, in line with the UN Year of Indigenous Languages, ensuring that indigenous representatives are involved and given leadership positions, as demanded by Grand Chief Willie Little-Child;
- develop measures that give priority to revitalizing and strengthening languages, in contrast to documentation and research;
- support local and local indigenous initiatives and education programs to protect their languages – and promote community-based immersion projects, such as the indigenous-led Global Indigenous Language Fund; implement an active language protection system that prioritizes the most vulnerable languages, aiming to preserve as many as possible, including the establishment of an indigenous language department within UNESCO;
- to condemn and, if possible, prevent the most serious human rights violations and assimilation policies against indigenous communities, especially in China.

### States in which there are indigenous communities must

- implement and effectuate the self-commitments regarding the protection of indigenous languages – including equal participation for indigenous peoples; introduce comprehensive bilingual education in at least one indigenous language for all school pupils, and integrate traditional knowledge into higher education;
- provide financial support for indigenous programs to preserve their language – and to introduce appropriate measures to revitalize languages;
- provide indigenous people with equal access to public office, politics, and administration in their own language; come to terms with and counteract racism that is deeply rooted in societal structures.

### The German federal government must

- ratify ILO Convention 169 in order to promote indigenous language rights, as stated in the current Coalition Agreement (of 2018).



## Part I: Introduction

*"Languages are part of fundamental human rights, without language we cannot be human, because language is part of the human brain and it constitutes the way in which we generate thought, build and rebuild the world and create ideas. So the role of indigenous languages is invaluable for the cultivation of indigenous culture, developing values and people's creativeness. As a vehicle of culture, indigenous languages allow the cultivation of identity and enable intercultural practice, the reproduction and transmission culture. Through dialogue with other people, we are able to exchange knowledge, know each other, and appreciate the world around us. Without language, this would be impossible for indigenous peoples."*

*Elisa Loncon Antileo (Mapuche from Chile)*

### 1. Why are indigenous languages worth protecting?

Currently, there are about 7,000 languages worldwide. Around 4,000 of the languages are indigenous languages, which are among the most threatened languages. More than half of the existing languages are spoken by the world's 370 million indigenous people – two percent of the world's population. By comparison, the eight most widely spoken languages are spoken by three billion people, or 40 percent of the world's population. Therefore, indigenous languages are crucial when it comes to preserving linguistic diversity.

Linguists estimate that less than half of all existing languages will be left by the end of the 21st century. Currently, on average, one language goes extinct every two weeks. The majority of all languages are only passed on in spoken form, and there are only very few people who are actually fluent in these languages. So far, the international community has not been showing enough

effort to stop this development. Indigenous peoples all over the world have been fighting to preserve their languages for decades.<sup>1</sup>

Indigenous languages are endangered for a variety of reasons: Firstly, they are often not recognized or supported by the respective governments. Public authorities and courts often only accept the majority language, and members of indigenous communities are forced to subordinate themselves to a legal system that is difficult for them to access. In consequence, indigenous languages are prone to be suppressed. Discrimination and state assimilation policies contribute to the fact that minority languages are not passed on to future generations.<sup>2</sup> Therefore, indigenous peoples are demanding equal rights, emphasizing that their languages must be officially recognized in order to actively counteract the extinction of their language in everyday use, and to fight everyday racism.

<sup>1</sup> STROCHLICH, N. (2018): *The Race to Save the World's Disappearing Languages*. Online: <https://news.nationalgeographic.com/2018/04/saving-dying-disappearing-languages-wikitongues-culture/> [Accessed July 22, 2019]

<sup>2</sup> UNITED NATIONS, ECONOMIC AND SOCIAL COUNCIL (2018): *Action plan for organizing the 2019 International Year of Indigenous Languages. Note by the Secretariat*. Online: <https://digitallibrary.un.org/record/1477512> [Accessed July 22, 2019]

Because of this precarious development, and due to pressure from indigenous movements, the United Nations declared 2019 the International Year of Indigenous Languages – focusing on the aspects of diversity and their importance, but also on the fact that these languages are threatened.<sup>3</sup>

Every language conveys a worldview and carries the values, culture, history, and collective identity of its speakers. Since many indigenous languages are not scripted, knowledge that was acquired over centuries is only passed on in spoken form. Thus, if a minority language is dying, the people will also lose their cultural identity and their connec-

tion to their own origins – and the identity of the individual speakers and of the entire community is lost. Not infrequently, this results in a collective trauma that affects many generations.<sup>4,5</sup>

Thus, it is all the more important to strengthen the language and educational rights of indigenous peoples in the respective national legislation. Indigenous representatives have been trying to enforce their rights in the United Nations since the early 1980s. However, despite numerous agreements and voluntary commitments, there is often a lack of political will on behalf of the nation states to comply with the legitimate and legal claims of indigenous peoples.

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<sup>3</sup> INTERNATIONAL YEAR OF INDIGENOUS LANGUAGES (2019): <https://en.iyil2019.org/about/> [Accessed July 22, 2019]

<sup>4</sup> SOCIETY FOR THREATENED PEOPLES (2011): *Bedrohte Sprachen. Gefahr für Minderheiten weltweit*. Online:

[https://www.gfbv.de/fileadmin/redaktion/Reporte\\_Memoranden/2010/MR-Report\\_Nr.63.-BedrohteSprachen.pdf](https://www.gfbv.de/fileadmin/redaktion/Reporte_Memoranden/2010/MR-Report_Nr.63.-BedrohteSprachen.pdf) [Accessed June 6, 2019]

<sup>5</sup> LONCON ANTILEO, E. (2016): *Indigenous languages: preservation and revitalization*. Online: <https://www.mapuche.nl/english/elisa-loncon160119.html> [Accessed July 22, 2019]

## 2. The international law level: the right to language is enshrined in numerous agreements

The right to one's own language is an integral part of the right to indigenous identity and self-determination. Thereby, the importance and fragility of languages and the knowledge they convey are undisputed. The right to language and, thus, the right to education in one's own language means social equality and equal opportunities in countries with a colonial past. The right to education can be found in all international treaties – and the notion that indigenous peoples have a right to their own language and education is explicitly stated in Convention 169 of the International Labor Organization (ILO Convention 169) and in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). The United Nations Sustainable Development Goals (SDGs) and numerous final documents and resolutions emphasize the importance of education to the success or failure of each individual, and there are countless declarations of intent by states towards indigenous peoples. Nevertheless, the threat to indigenous languages and knowledge systems remains, but there are not enough efforts to actually enforce indigenous language rights.

### How meaningful are declarations of intent?

International agreements and declarations are so-called *soft law*, meaning that they are not binding. However, soft law can become common law through frequent use – and eventually become hard law, which governments and courts of liberal democratic states can

no longer ignore. However, it takes about 30 years for soft law to become hard law. Nevertheless, the ILO Convention 169, the UNDRIP, and the Declaration on the Rights of Indigenous Peoples of the Organization of American States (OAS) constitute important legal frameworks that were negotiated between individual indigenous peoples and the respective nation states. Here, the historical origins of UNDRIP are especially noteworthy. Over the course of 25 years, indigenous representatives from around the world defined standards that were adopted by almost all states of the United Nations. Eleven states abstained. Conventions such as ILO Convention 169 and several other treaties have become applicable law. Once a certain number of ratifications have been achieved, they enter into force. They are legally binding, but it is still difficult to actually enforce them due to the lack of sanction mechanisms.

### What does the right to language imply?

The aim of protecting an indigenous language requires comprehensive measures ranging from nationwide education and language-revitalization to measures to increase social acceptance. Due to the rights to education, participation, and culture, indigenous languages can be found in the most diverse areas – for example bilingual education in an indigenous language, including traditional knowledge; protection against discrimination on the basis of culture and language; protection of indigenous languages by the

state and public representation of indigenous languages; the possibility of passing on a language to future generations, interpreting of indigenous languages in court proceedings and public authorities, or translations for public administrative processes. The right to language is only met if all the individual requirements are fulfilled. The basic principles of human rights are dependent on each other and, thus, are to be seen as indivisible. The right to institutional bilingual education is just as important as legal means to protect speakers of a minority language against discrimination. The multitude of different articles in international law reflects the colonial challenge of achieving equal rights in plurinational states.<sup>6</sup>

**Fundamentals: Universal Declaration of Human Rights (UDHR), economic, social and cultural rights (ESC rights), children's rights, and educational rights**

#### *Universal Declaration of Human Rights*

The Universal Declaration of Human Rights (UDHR), adopted in 1948, constitutes the basis of all human rights in an international context. For more than 70 years, it has served as the groundwork for several other agreements and conventions. In a steady and ongoing process, the UN, along with its member states, has established a broad body of policies and goals that cover indigenous language rights. Important articles that served as a basis for further agreements are Article 1 (principles of freedom, equality, solidarity), Article 2

(non-discrimination), as well as Article 26 (on the right to education) and Article 27 (on the right to participate in cultural life).<sup>7</sup> The right to education governs that states have to provide compulsory and unpaid primary education to school pupils – and higher education should be accessible to everyone, subject to individual abilities and achievements. Further, the states must invest enough money in teaching and in measures to maintain schools. The statement also clarifies that it is primarily the parents, not the state, who have the right to decide on the nature of their children's education. Article 27 addresses the right to participate in cultural life. This includes the right to live according to one's own culture – and to be given the conditions to do so.<sup>8</sup>

#### *Social and Civil Pact*

The International Covenant on Economic, Social and Cultural Rights (ICESCR), also known as the UN Social Pact, was adopted by the United Nations General Assembly in 1966, together with the so-called Civil Pact, and entered into force in 1976. Contents of the Social Pact are, among other aspects, the right to self-determination and to social and cultural development. It also addresses rights related to work, education, family, and health. The Civil Pact or International Covenant on Civil and Political Rights (ICCPR) guarantees basic human rights such as the right to life, the prohibition of torture and slav-

<sup>6</sup> "Plurinational" means that there are several peoples (mostly indigenous communities) living in a nation state.

<sup>7</sup> UNITED NATIONS (1948): *Universal Declaration of Human Rights*. Online: <https://www.un.org/depts/german/menschenrechte/aemr.pdf> [Accessed July 22, 2019]

<sup>8</sup> INFORMATION PLATFORM HUMANRIGHTS.CH (2019): *Universal Declaration on Human Rights (1948)*. Online: <https://www.humanrights.ch/de/internationale-menschenrechte/aemr/text/> [Accessed July 22, 2019]

ery, personal freedom, religious freedom and equality, and the protection of minorities.

With regard to indigenous language rights, the following can already be deduced: Children who grow up with an indigenous language as their first language need an appropriate bilingual education system in which they are not disadvantaged in comparison to non-indigenous children. Without adequate education, speakers of indigenous languages are excluded from cultural life.

### Important advancements regarding educational rights: Child Rights Convention and Dakar Framework

#### *CRC*

The Convention on the Rights of the Child was adopted by the United Nations General Assembly (UN) on November 20, 1989. All member states of the UN – with the exception of the United States – have so far ratified it. Thus, the Convention on the Rights of the Child is the most ratified UN convention. This also applies to the three additional protocols. By ratifying the convention, the states commit themselves to respect and protect children's rights. The convention defines 'children' as everyone under 18 years of age.

#### *The Dakar Framework for Action*

With the goal of ensuring that every person has access to education, the so-called Dakar Framework for Action was adopted at the 2000 World Education Forum. A total number of 164 states agreed on six common goals, including

the aim of ensuring nationwide free and compulsory primary education by 2015. However, according to the 2015 UNESCO World Education Report, only one-third of all countries achieved these educational goals.<sup>9</sup>

### Basic indigenous rights: ILO Convention 169, UN Declaration on the Rights of Indigenous Peoples (UNDRIP), and the American Declaration on the Rights of Indigenous Peoples (OAS)

More than 30 years ago, efforts began to identify and specify indigenous rights and to adapt the general human rights clauses to the particular circumstances of indigenous peoples. For this purpose, Convention 169 of the International Labor Organization (ILO) was drafted in 1989 – and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP, adopted in 2007) was the first UN declaration to specifically address the rights of indigenous peoples, based on previous human rights treaties and conventions. Thanks to this legal framework, indigenous languages are finally recognized and protected with regard to their importance for the indigenous communities all over the world, which had not been adequately recognized before.

#### *ILO Convention 169*

The Convention on Indigenous and Tribal Peoples in Independent States (ILO Convention 169) is the first and only legally binding agreement on the rights of indigenous peoples. It was adopted by the International Labor Organization (ILO) on June 27, 1989 – and

<sup>9</sup> GERMAN UNESCO-COMMISSION (2019): *UNESCO Weltbildungsbericht*. Online: <https://www.unesco.de/bildung/bildungsagenda-2030/unescoweltbildungsbericht> [Accessed July 22, 2019]

it was, to date, only signed by 23 states. The Convention allows for better control in the implementation of indigenous rights, but also leaves more room for maneuver in shaping state policies. Despite this room for maneuver and the small number of signatory states, it remains one of the most important instruments to enforce the rights of indigenous peoples.

*United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted on September 13, 2007, after 25 years of debate. There were 143 approvals, four votes against, and eleven abstentions. Australia, Canada, New Zealand and the US voted against the statement. Later on, however, all four states ratified the declaration as well. The declaration is seen as especially legitimized as it was drafted in cooperation with various indigenous communities. However, UNDRIP is not legally binding. The states are merely called upon to secure and comply with the rights set out in the declaration. It covers individual, collective, cultural, and identity rights, including education,

health, work, and language. Special attention is paid to the aspect of self-determination for indigenous communities, in accordance with their own needs and goals.

*Inter-American Declaration on the Rights of Indigenous Peoples of the Organization of American States (OAS)*

On June 15, 2016, the Organization of American States (OAS), representing 35 states of North and South America, adopted the Inter-American Declaration on the Rights of Indigenous Peoples. It addresses cultural rights and the right to religion, family, and health, and it contains direct references to language rights. The Declaration, together with UNDRIP and ILO Convention 169, is considered the most important instrument in the struggle for indigenous rights in the Americas. Nevertheless, it is criticized that the declaration lowers the standards of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), stating that it is mainly the nation states that have a claim to sovereignty, which contradicts the right to self-determination of indigenous peoples.

Convention on the Rights of the Child	
Art. 29	(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
Art. 30	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 practise his or her own religion, or to use his or her own language.
Convention 169 of the ILO	
Preamble	The General Conference of the International Labour Organisation [...] recognizes "...the aspirations of these peoples to exercise control over their own institutions, ways of life and economic development and to <b>maintain and develop</b> their <b>identities, languages</b> and religions, within the framework of the States in which they live... "
Art.5	In applying the provisions of this Convention: (a) the social, cultural, religious and spiritual values and practices of these peoples shall be recognised and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals
Art.7	1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.
Art. 22	2. Whenever existing programmes of vocational training of general application do not meet the special needs of the peoples concerned, governments shall, with the participation of these peoples, ensure the provision of special training programmes and facilities. 3. Any special training programmes shall be based on the economic environment, social and cultural conditions and practical needs of the peoples concerned. Any studies made in this connection shall be carried out in co-operation with these peoples, who shall be consulted on the organisation and operation of such programmes. Where feasible, these peoples shall progressively assume responsibility for the organisation and operation of such special training programmes, if they so decide.
Art.26	Measures shall be taken to ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.
Art.27	1. In addition, governments shall recognise the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. Appropriate resources shall be provided for this purpose.
Art.28	1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective. 3. Measures shall be taken to preserve and promote the development and practice of the indigenous languages of the peoples concerned.
Art.30	2. If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.

**International Covenant on Economic, Social and Cultural Rights**

<b>Art. 13</b>	<p>1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.</p> <p>2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:</p>
<b>Art. 15</b>	<p>1. The States Parties to the present Covenant recognize the right of everyone:</p> <p>(a) To take part in cultural life;</p>

**International Covenant on Civil and Political Rights**

<b>Art. 18</b>	<p>(4) The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.</p>
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**Signatory States (chronological order)**

Norway (1990)	Ecuador (1998)
Mexico (1990)	Argentina (2000)
Colombia (1991)	Venezuela (2002)
Bolivia (1991)	Dominica (2002)
Costa Rica (1993)	Brazil (2002)
Paraguay (1993)	Spain (2007)
Peru (1994)	Nepal (2007)
Honduras (1995)	Chile (2008)
Denmark (1996)	Nicaragua (2010)
Guatemala (1996)	Central African Republic (2010)
Netherlands (1998)	
Fiji (1998)	Luxembourg (2018)

**UN Declaration on the Rights of Indigenous Peoples (UNDRIP)**

<b>Art. 5</b>	<p>Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.</p>
<b>Art. 11</b>	<p>This includes the right to <b>maintain, protect and develop</b> the past, present and future manifestations of their cultures, such as [...] and <b>literature</b>.</p>
<b>Art. 13</b>	<p>1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.</p> <p>2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.</p>

Art. 14	<p>1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.</p> <p>2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.</p>
Art. 16	<p>1. Indigenous peoples have the right to establish their <b>own media</b> in their own languages and to have access to all forms of non-indigenous media without discrimination.</p>
<b>OAS Declaration</b>	
Art. VI.	<p>Indigenous peoples have collective rights that are indispensable for their existence, well-being, and integral development [...] to use their own tongues and languages</p>
Art. XIV.	<p>1. Indigenous peoples have the right to preserve, use, develop, revitalize, and transmit to future generations their own <b>histories, languages, oral traditions, philosophies, systems of knowledge, writing, and literature</b>, and to designate and retain their <b>own names for their communities, individuals, and places</b>.</p> <p>2. States shall adopt adequate and effective measures to protect the exercise of this right with the full and <b>effective participation</b> of indigenous peoples.</p> <p>3. Indigenous peoples have the right to promote and develop all their <b>systems and media of communication</b>, including their own radio and television programs, and to have equal access to all other means of communication and information. States shall take measures <b>to promote the broadcast of radio and television programs in indigenous languages</b>, particularly in areas with an indigenous presence.</p>
Art. XV.	<p>3. Indigenous peoples have the right to establish and control their <b>educational systems and institutions</b> providing education in their own languages, in a manner <b>appropriate to their cultural methods of teaching and learning</b>.</p> <p>4. States, in conjunction with indigenous peoples, shall take effective measures to enable indigenous individuals living outside their communities, <b>particularly children, to have access to education in their own languages and cultures</b>.</p> <p>5. States shall promote harmonious intercultural relations, ensuring that the curricula of state educational systems <b>reflect the pluricultural and multilingual nature of their societies</b> and encourage respect for, and knowledge of, the different indigenous cultures. States, in conjunction with indigenous peoples, <b>shall promote intercultural education</b> that reflects the cosmivision, histories, languages, knowledge, values, cultures, practices, and ways of life of those peoples</p>
Art. XVII.	<p><b>Indigenous families</b></p> <p>2. In matters relating to custody, adoption, severance of family ties, and related matters, the <b>best interests of the child</b> shall be a primary consideration. In determining the best interests of the child, courts and other relevant institutions shall take into account the right of every indigenous child, in community with members of his or her people, to enjoy his or her own culture, to profess and practice his or her own religion, and <b>to use his or her own language...</b></p>

### 3. Between ideal and reality: indigenous people demand implementation of their rights

It is the demands of the indigenous peoples themselves that reflect the relevance of indigenous languages – and the indigenous people's demands are backed by numerous studies and statements of UN mechanisms for indigenous peoples, emphasizing the link between language, collective identity, and educational opportunities.

In summary, there are definitely positive trends regarding the language situation. According to Australian aboriginal activist Henrietta Marrie – who presented her assessment of the situation of indigenous languages at the 18th United Nations Permanent Forum on Indigenous Issues (UNPFII), which took place in New York from April 22 to May 3, 2019 – Canada is a positive example,<sup>10</sup> and a 2017 report of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP, consisting of five indigenous experts) praised Finland as an example of the successful implementation of UNDRIP, particularly with regard to education policy.<sup>11</sup>

Nonetheless, indigenous organizations and indigenous UN bodies consistently

criticize the striking discrepancy between declarations of intent and actual everyday conditions. Notably, the causes are to be seen in the lack of implementation of UNDRIP or ILO Convention 169.<sup>12</sup> EMRIP urges states to actually implement indigenous rights, calling for measures to actively protect languages and for effective anti-discrimination laws. In order to revitalize indigenous languages, it would be necessary to implement long-term strategies and legal framework conditions that should be developed in cooperation with indigenous peoples. In 2017, in its final report on the occasion of UNDRIP's 10th anniversary, the UNPFII expressed its concern over the disparity in the formal recognition of indigenous rights, including language rights, and the lack of practical implementation.<sup>13</sup>

In her country reports, the UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz – who is a member of a Philippine indigenous community herself – emphasizes the link between language preservation

<sup>10</sup> MARRIE, H. (2019): *Emerging trends in the generation, transmission and protection of Traditional Knowledge*. Online: <https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2019/04/TK-Emergingtrends-in-the-generation-transmission-and-protection-of-TK-final-paper.pdf> [Accessed July 22, 2019]

<sup>11</sup> UNITED NATIONS, EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES (2017): *Ten years of the implementation of the United Nations Declaration on the Rights of Indigenous Peoples: good practices and lessons learned – 2007-2017*. Online: <https://www.ohchr.org/Documents/Issues/IPeoples/EMRIP/Session10/A.HRC.EMRIP.2017.CRP.2.pdf> [Accessed July 22, 2019]

<sup>12</sup> UNITED NATIONS, GENERAL ASSEMBLY (2016): *Summary of responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples. Report of the Expert Mechanism on the Rights of Indigenous Peoples*. Online: <https://www.undocs.org/a/hrc/33/58> [Accessed July 22, 2019]

<sup>13</sup> UNITED NATIONS, ECONOMIC AND SOCIAL COUNCIL (2017): *Permanent Forum on Indigenous Issues. Report on the Sixteenth Session (24 April-5 May 2017)*. Online: <https://undocs.org/E/2017/43> [Accessed July 22, 2019]

and the safeguarding of universal human rights.<sup>14</sup> She praises pilot projects on bilingual and immersion programs, e.g. in Timor-Leste and Ecuador, but explicitly criticizes the particularity of these programs and the lack of funding plans.<sup>15</sup><sup>16</sup> In addition to the fact that, due to spatial and political marginalization, it is generally difficult for indigenous people to gain access to education, she notes that education is mostly blind to the special needs of indigenous children.<sup>17</sup> Lack of political will and an insufficient implementation of UNDRIP in national legislation have led to far-reaching inequalities. In conclusion, she notes that indigenous people are disappointed about the slow pace of policy implementation, and she stresses the importance of sustainable measures to protect such languages.<sup>18</sup>

The lack of political will on the part of the governments to implement international agreements is to be seen as the central point of criticism of all indigenous representatives. Discrimination,

incomplete legislation, language barriers, and the lack of funding for own projects shape the everyday lives of many indigenous communities.<sup>19</sup> Indigenous peoples are criticizing the discrepancy between (language) laws and their implementation, tirelessly informing the United Nations about violations and using the channels of the EMRIP, the UN-PFII, and the UN Special Rapporteur. They point out everyday racism and lack of equal opportunities, emphasizing the importance of indigenous languages and indigenous knowledge.

Lack of equal opportunities in education is a recurring topic, and it is seen as one of the prime causes of discrimination and social inequalities. The establishment of state-subsidized bilingual school systems is considered a prerequisite to ensure that indigenous children are not disadvantaged.<sup>20</sup> The integration of their languages in everyday life and the public space is fundamental to the survival of indigenous languages. The teaching of traditional

<sup>14</sup> TAULI-CORPUZ, V. (2019b): *Statement of Ms Victoria Tauli-Corpuz. 18th Session of the United Nations Permanent Forum on Indigenous Issues*. Online: <http://unsr.vtaulicorpuz.org/site/index.php/en/statements/289-unpfii2019> [Accessed July 22, 2019]

<sup>15</sup> TAULI-CORPUZ, V. (2018b): *End of mission statement by the United Nations Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz on her visit to Ecuador*. Online: <http://unsr.vtaulicorpuz.org/site/index.php/en/statements/267-end-mission-ecuador> [Accessed July 22, 2019]

<sup>16</sup> TAULI-CORPUZ, V. (2019a): *End of mission statement by the United Nations Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz on her visit to Timor-Leste*. Online: <http://unsr.vtaulicorpuz.org/site/index.php/en/statements/287-timor-leste-statement> [Accessed July 22, 2019]

<sup>17</sup> UNITED NATIONS, HUMAN RIGHTS COUNCIL (2015): *Report of the Special Rapporteur on the rights of indigenous peoples*. Online: <https://undocs.org/A/HRC/30/41> [Accessed July 22, 2019]

<sup>18</sup> TAULI-CORPUZ, V. (2018b): *End of mission statement by the United Nations Special Rapporteur on the rights of indigenous peoples, Victoria Tauli-Corpuz on her visit to Ecuador*. Online: <http://unsr.vtaulicorpuz.org/site/index.php/en/statements/267-end-mission-ecuador> [Accessed July 22, 2019]

<sup>19</sup> UNITED NATIONS, GENERAL ASSEMBLY (2016): *Summary of responses to the questionnaire seeking the views of States and indigenous peoples on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples. Report of the Expert Mechanism on the Rights of Indigenous Peoples*. Online: <https://www.un-docs.org/a/hrc/33/58> [Accessed July 22, 2019]

<sup>20</sup> UNITED NATIONS, ECONOMIC AND SOCIAL COUNCIL (2018): *Action plan for organizing the 2019 International Year of Indigenous Languages. Note by the Secretariat*. Online: <https://digitallibrary.un.org/record/1477512> [Accessed July 22, 2019]

knowledge must be part of general education.<sup>21</sup>

With the International Year of Indigenous Languages, the United Nations wants to place more emphasis on indigenous language rights. However, indigenous peoples are criticizing that *the objectives and planning* of the year were decided on without their participation. The focus of the measures is more on research and documentation than on support for indigenous projects. Richard A. Grounds, an indigenous activist of the Yuji and a linguist from Oklahoma, attributes this to Euro-

centric structures within the United Nations. He describes the "endless documentation" as a colonial pattern that serves to process knowledge about indigenous languages in "Western intellectual mills".<sup>22</sup>

Grand Chief Wilton Little-Child, indigenous representative of the Cree of the Canadian First Nations, calls for an international decade of indigenous languages following the UN Year, stating that this would be the only way to initiate sustainable measures<sup>23</sup> – this time, however, in close consultation with indigenous representatives: **"Nothing about us, without us!"**

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<sup>21</sup> UNITED NATIONS, UN WEB TV (2018, 18 April): *2019: International Year of Indigenous Languages - Indigenous Media Zone*. Online: <http://webtv.un.org/search/2019-internationalyear-of-indigenous-languages-indigenous-mediazone/5773872463001/?term=> [Accessed May 27, 2019]

<sup>22</sup> GROUNDS, RICHARD A. (2019): *Keeping the Indigenous in the International Year of Indigenous Languages*.

In: Cultural Survival Quarterly. *Hear Our Languages - International Year of Indigenous Languages 2019* Vol. 43 (1); Cambridge: Cultural Survival Inc. pp. 14-16.

<sup>23</sup> UNITED NATIONS, UN WEB TV (2019, 22 April): *Achieving the promise of the International Year of Indigenous Languages – outcomes, legacies and future work*. Online: <http://webtv.un.org/%C2%BB/watch/2019-international-year-of-indigenous-languages-indigenous-mediazone/5772689913001/?term=&lan=original&page=3?term=> [Accessed May 27, 2019]

## Part II: Language protection – examples of different countries

"A nation's greatness is measured by how it treats its weakest members."  
*Mahatma Gandhi*

### 1. Governments prevent language protection

Indigenous languages and their threat situation are inextricably linked to the openness or unity of the respective nation states. The ideal of a heterogeneous nation state combined with (post-) colonial social structures still dominates the line of conflict between indigenous peoples and the governments of the states in which their territories lie – and there are differences in the extent to which these states are to be seen as plurinational and willing to grant indigenous communities collective rights. The existence of indigenous languages that are actually spoken allows to draw conclusions about the educational and career opportunities of indigenous people. The more restrictive a system is, the less effort is made to come to terms with colonial history or to make concessions to indigenous peoples, the worse the situation regarding indigenous languages. Today, languages are suppressed in various ways, and there are no guarantees regarding political participation or educational and language rights. Strategies range from state assimilation policies and neutralization or criminalization of indigenous organizations to lack of recognition and recurring racism.

A historical example of a strategy of assimilation politics leading to the extinction of a language, a so-called *linguicide*, are the Ainu in Japan, whose traces go back to prehistoric times. The Ainu are the direct ancestors of today's population of Japan. Their language is almost completely lost today. As a consequence of increasing nationalism and colonialism in Japan in the 19th century, many ethnic and indigenous minorities were subjected to a rigorous assimilation policy. The indigenous Ainu were declared Japanese, their language was banned, and Japanese was declared the only valid language.<sup>24</sup>

#### Assimilation policy in the 20<sup>th</sup> century, using the example of China

Tendencies towards heterogeneous societies under a central government are not a thing of the past, but an ongoing phenomenon. The dictatorial Chinese Communist Party (CP), which has been ruling the country for 70 years, has been trying to establish Mandarin Chinese as the only language for decades, thus marginalizing the Turkic Uyghur language and Tibetan, for example.<sup>25</sup> As a member of the United Nations, China is also a signatory to many important human rights treaties<sup>26</sup>, including

<sup>24</sup> SOCIETY FOR THREATENED PEOPLES (2011): *Bedrohte Sprachen. Gefahr für Minderheiten weltweit*. Online: [https://www.gfbv.de/fileadmin/redaktion/Reporte\\_Memoranden/2010/MRRreport\\_Nr.63.-BedrohteSprachen.pdf](https://www.gfbv.de/fileadmin/redaktion/Reporte_Memoranden/2010/MRRreport_Nr.63.-BedrohteSprachen.pdf) [Accessed July 6, 2019]

<sup>25</sup> SHIR, R. (2019): *China's effort to silence the sound of Uyghur*: <https://thediplomat.com/2019/05/chinas-effort-to-silence-the-sound-of-uyghur/> [Accessed June 5, 2019]

<sup>26</sup> With the exception of the International Covenant on Civil and Political Rights (Civil Pact).

UNDRIP. Nevertheless, minority rights and indigenous rights are barely recognized in China. It is true that Article 4 of the Constitution ensures equal rights for all nationalities – including the right of national minorities to keep their own language, writing, customs and traditions – but there have been increasing measures of enforced assimilation since the inauguration of President Xi Jinping in 2013, also in the area of languages.

Like the Tibetans, the Uyghurs have been in the focus of the regime for several years. An estimated 1.5 million Uyghurs, Kazakhs, and Kyrgyz people are currently kept detained in Chinese re-education camps. The aim is to disrupt their connection to other Muslim minorities in Central Asia by forcing them to speak Chinese.<sup>27</sup> The Uyghur language is a Turkic language. Many of the words come from Arabic and Persian, and the writing is based on Arabic characters. While the state supported bilingual education in Uyghur and Mandarin for quite a while, the language policy of the Communist Party has meanwhile turned into a radical assimilation policy against the Uyghurs. The aim is to destroy or forcibly assimilate the cultural identity of the Uyghurs, similar that of the Tibetans, by suppressing their language.

*Example: Statement of a Communist Party official*

*An incident of October 2018 in Qaghaliq district in the Kasghar region reveals the degree of everyday*

*pressure on the Uyghur people. In a statement that was sent to 750,000 readers, Memtimin Ubul, a functionary of the Communist Party, stated that Uyghur officials should no longer use the Uyghur language – neither in spoken nor in written form – as this would be regarded as an "unpatriotic act" by a "persons with two faces". Even in private life, Chinese should be the only language. He stated that state officials were supposed to serve as role models of patriotic Uyghurs, and using the Chinese language was described as a means to free the Uyghurs of the "chains of the [Muslim] religion" and obtain better job opportunities.*

Today, China is pursuing a total assimilationist policy, committing massive violations of human rights against the indigenous population. Since 2017, the government has sent about one million party cadres to visit Uyghur families for a few weeks each. It is the cadres' duty to inform the CP about how well the respective Uyghur families speak Mandarin and to give an assessment to decide whether they will be sent to one of the over 1,200 re-education camps in northwestern China.<sup>28</sup> There, they are forced to learn Chinese as well as the dogmas of the Communist Party. The children of detainees are brought to state-run boarding schools where they only learn Mandarin. Former detainees reported brainwashing, torture, and humiliation. In the camps, it is forbidden to speak the Uyghur language. Many of those who were released from the

<sup>27</sup> MILLWARD, J. (2019): 'Re-educating' Xinjiang's Muslims. Online: <http://www.chinafile.com/library/nyrb-china-archive/reeducatingxinjiangs-muslims> [Accessed June 5, 2019]

<sup>28</sup> BYLER, D. (2019): The 'patriotism' of not speaking Uyghur. Online: <https://sup-china.com/2019/01/02/the-patriotism-of-not-speaking-uyghur/> [Accessed June 6, 2019]

camps are broken people. Only those who managed to go into exile are able to freely criticize the camps.<sup>29,30</sup>

### Suppression of indigenous organizations in Russia

*"Originally, RAIPON was created to protect the rights of indigenous peoples, but the Russian authorities and intelligence agencies have turned the organization into a tool that is used against indigenous peoples."*

*Pavel Sulyandziga (RAIPON)*

Russia has a long tradition of so-called *russification* of society and oppression of indigenous languages. Of the 115 currently existing languages, a total number of 100 are indigenous languages – and half of them are currently in acute danger.<sup>31</sup> Of the more than 160 indigenous communities living on the territory of present-day Russia, 40 are officially "indigenous minority peoples of the north, Siberia, and the Far East". Although they only account for 0.2 percent of the entire population (with a total number of 250,000 people), they inhabit about two-thirds of the Russian territory.<sup>32</sup> Russia has neither ratified ILO Convention 169 nor officially recognized UNDRIP, and resource exploitation is seen as more important than

indigenous land rights or consultation rights.<sup>33</sup>

The suppression of indigenous languages has a long tradition, starting as early as the 16th century in the Tsarist Empire. In the 20th century, indigenous and minority languages were systematically suppressed in the education system of totalitarian Stalinism, as a means to enforce Russian as a universal language and Cyrillic as the compulsory form of writing. Parents were considered "behind the times" if they refused to educate their children in Russian. Non-Russian names were banned, and non-loyal teachers and linguists could be arrested as enemies of the people. The system of boarding schools, which was originally developed for children from nomadic families, was increasingly turned into a system of Soviet training centers in which children stayed for their entire school career, before they could return to their families – often as strangers – at the age of 16. This system is no longer in practice today, but the effects are still clearly noticeable. An entire generation of indigenous speakers is missing, so that it is to the generation of the grandparents to try and continue the language tradition.<sup>34</sup>

<sup>29</sup> SOCIETY FOR THREATENED PEOPLES (2019): Press release: Dispute at the UN concerning Chinese re-education camps. Online: <https://www.gfbv.de/en/news/schlagabtausch-bei-der-un-ueber-chinesische-umerziehungslager0-9687/> [Accessed: June 6, 2019]

<sup>30</sup> SCHEDLER, H.: *Uiguren in München: "Sprache ist Kultur und Kultur braucht Sprache"*. In: "bedrohte Völker - pogrom" Nr. 310, 01/2019. Online: <https://www.gfbv.de/de/informieren/zeitschriftbedrohte-voelker-pogrom/310-bildung-fuer-alle/sprachunterricht-fuer-uiguren-in-derdiaspora/> [Accessed: June 6, 2019]

<sup>31</sup> EBERHARD, D. M., SIMONS, G.F. U. FENNIG, C.D. (2019). *Ethnologue: Languages of the World*. Online: <http://www.ethnologue.com> [Accessed June 17, 2019]

<sup>32</sup> CULTURAL SURVIVAL (2014): *Who Are the Indigenous Peoples of Russia?* Online: <https://www.culturalsurvival.org/news/who-areindigenous-peoples-russia> [Accessed June 17, 2019]

<sup>33</sup> IWGIA (2014): *Indigenous Peoples in the Russian Federation. IWGIA report 18*. Online: [https://is-suu.com/iwgia/docs/humanrights\\_report\\_18\\_russia](https://is-suu.com/iwgia/docs/humanrights_report_18_russia) [Accessed June 17, 2019]

<sup>34</sup> GESELLSCHAFT FÜR BEDROHTE VÖLKER (1998): *Die kleinen Völker des hohen Nordens und fernen Ostens*

In today's Russia, there appear to be attempts to continue this policy and to gradually roll back the legal opening after the end of the Soviet era. Article 69 of the Constitution guarantees certain rights for indigenous peoples, but these are sacrificed to economic interests and subordinated to the concept of a "United Russia". The Russian language law of 1991 and the education act of 1992, which recognized the right to education in indigenous languages and envisaged a decentralized education policy, was significantly restricted by a law amendment in June 2018. A number of measures were introduced to make it more difficult to attend according language classes in schools. These classes are no longer mandatory, and the offer is limited significantly. The lessons were reduced from six to two hours per week, and parents have to ask the teachers (in written form) before their children can attend these classes.<sup>35</sup>

As the Russian government suppresses indigenous peoples, members of these minorities have serious difficulties when trying to defend their rights, including language rights. In present Russia under Vladimir Putin, there is no indigenous organization that can freely represent indigenous rights. Officially,

the umbrella organization RAIPON represents indigenous interests on the international stage, but the organization has de facto been brought into line and is now under state control. Before, there had been a dispute concerning the approval or a possible prohibition of the organization. In November 2012, the Ministry of Justice decided to shut down RAIPON for six months, pointing out alleged mistakes in the statutes of the organization. In March 2013, following international protests, RAIPON was allowed to amend its statutes and to continue work. In the same month, Grigory Ledkov, a member of Putin's United Russia party, was elected President of RAIPON,<sup>36</sup> thanks to massive election manipulation.<sup>37</sup> Representatives of the indigenous movement, in particular Pavel and Rodion Sulyandziga, were ousted and repeatedly subjected to repression.<sup>38</sup> Like many Russian NGOs, the International Development Fund for Russian Indigenous Peoples, *Batani*, and the *Center for the Support of Indigenous Peoples of the North* are treated as foreign agents in order to discredit them and to keep them from doing political work.<sup>39</sup>

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*Russlands. Ein aktueller Lagebericht mit geschichtlich-ethnographischer Einführung.* Online: <https://www.gfbv.de/de/news/indigene-voelker-im-norden-russlands-und-sibriens-174/> [Accessed June 17, 2019]

<sup>35</sup> UNPO (2018): *Minority Languages Under Siege in Russia and Crime.* Online: <https://unpo.org/article/21003> [accessed June 17, 2019]

<sup>36</sup> YOUTUBE (2018): *From Moscow to Maine: A Conversation with Pavel Vasilievich Sulyandziga.* Online: <https://www.youtube.com/watch?v=nnbnGYIb7ek> [Accessed June 17, 2019]

<sup>37</sup> NILSEN, T. (2013): *Moscow staged RAIPON election thriller.* Online: <http://barentsobserver.com/en/politics/2013/04/moscow-staged-raipon-election-thriller-03-04> [Accessed June 17, 2019]

<sup>38</sup> GESELLSCHAFT FÜR BEDROHTE Völker (2015): *Indigene Umweltaktivisten in Lebensgefahr. Menschenrechtsreport Nr. 77.* Göttingen, p. 17

<sup>39</sup> PETERSON, T. (2015): *One more indigenous peoples' organization declared 'foreign agent'.* Online: <https://thebarentsobserver.com/en/society/2016/03/one-more-indigenous-organization-declared-foreign-agent> [Accessed June 17, 2019]

### Lack of state recognition in India

In India, there are 705 ethnic groups known as *Scheduled Tribes* (in the sense of "registered" or "recognized" tribes). The self-designation *Adivasi*, meaning "original inhabitants", is not accepted by the Indian government until today. The estimated 104 million Adivasi make up 8.6 percent of the total population, and the country has a variety of indigenous languages that is without example in the rest of the world. According to the eighth amendment, India has only 22 main languages, although more than 121 are spoken. In addition, there are many regional dialects, so that the national census of 2011 counts a total of 1635 different varieties and dialects.<sup>40</sup>

According to UNESCO, 197 of these languages are in acute danger. For the Scheduled Tribes, the Constitution provides for extensive protection and special rights, including the right to the indigenous language (Article 29) and the protection of endangered languages (Article 350)<sup>41</sup>. However, the laws protecting indigenous peoples have many shortcomings and their implementation is far from satisfactory. It is significant that the Indian government voted in favor of UNDRIP, but with the notion that, since the country became independent in 1949, the entire population is considered indigenous. With this de facto non-recognition of indigenous

peoples as an independent population group, India denies the Adivasi their claim to important collective rights to self-determination.<sup>42</sup>

*"Our economic situation has never been good. My mother passed various exams and tried to get a job in the civil service, but she did not succeed. She always imagined that she could make her children grow up with the new language, so that her kids would not have to go through what she's been through. She stopped speaking her native language Kurukh at home – and we all spoke Hindi. [...] That's why we – as the second generation, who went to school and saw books – never learned our mother tongue. Today, we are returning to our own language. We are trying to encourage people to talk to their children in their mother tongue at home."*

*Jacinta Kerketta (journalist and indigenous Kurukhar)*

The factors that contribute to the possible extinction of these languages can be summarized quickly: A lack of political rights leads to economic hardship, and the Adivasi are driven away from their traditional territories by obstructing their claims to land titles.<sup>43</sup> If they lose their land and become alienated to their traditional way of making a living, they lose their indigenous identity – and access to the job market and the

<sup>40</sup> MINISTRY OF HOME AFFAIRS (2011): *Scheduled Tribes in India*. Online: [https://tribal.nic.in/ST/3-STinindiaascensus2011\\_compressed.pdf](https://tribal.nic.in/ST/3-STinindiaascensus2011_compressed.pdf) [Accessed June 19, 2019]

<sup>41</sup> ADIVASI-KOORDINATION (2018): *Vielfalt – wie lange noch? Zum „Internationalen Jahr der indigenen Sprachen 2019*. Online: [https://www.adivasikoordination.de/wpdev/wpcontent/uploads/2018/12/AKD\\_rundbrief66.pdf](https://www.adivasikoordination.de/wpdev/wpcontent/uploads/2018/12/AKD_rundbrief66.pdf)

<sup>42</sup> IWGIA (2018): *The indigenous world 2018*. Online: <https://www.iwgia.org/images/documents/indigenous-world/indigenous-world-2018.pdf> [Accessed June 19, 2019]

<sup>43</sup> For example, due to the verdict of India's Supreme Court of February 13, 2019, up to eight million Adivasi are affected by displacement.

education system is impeded by the dominance of Hindi and English. The Adivasi are socially marginalized, and it

is hardly possible to fight for political rights or even language rights while struggling to survive.<sup>44</sup>

## 2. Implementation deficit: ineffective laws

India is a typical example of a country in which cultural diversity is met with a lack of state recognition. The example of India shows that a government does not have to pursue active assimilation policies to cause linguicides. The political marginalization within India's society shows that colonial borders still exist. The disappearance of indigenous languages in India is a symptom of the underlying disregard of the Adivasi peoples' rights.<sup>45</sup>

In democratic states, it is easier to enforce laws and measures that are oriented towards the well-being of the entire population. In an ideal situation, every citizen can participate, and there is no repressive state that imposes arbitrary standards on the people or aims to marginalize or threaten individual population groups in their existence. However, there are differences here as well: In democratic states with a colonial past, there are still deficiencies regarding the legal and social equality of indigenous peoples and their language rights. While there are laws on indigenous (language) rights and respective measures that are supposed to be implemented, there is often a lack of political will. The reasons for this lie in the

fact that racism is deeply rooted in society. Thus, indigenous people are marginalized and structurally disadvantaged. Far-reaching state reforms only have priority as long as there are no conflicts of economic interest. Indigenous people are still disadvantaged in many areas of social life, and educational and language rights are implemented very hesitantly. Still, the most successful measures to preserve indigenous languages are those that are implemented by indigenous communities themselves.

### Mapuzugun, the language of the Mapuche in Chile

During the colonial period, Spanish was established as the main language in many areas of Latin America, in order to secure the position of the colonial power of Spain. The language served to limit the possibilities and, above all, the culture of the indigenous peoples.<sup>46</sup> Indigenous languages were suppressed for quite a while, and many are still threatened with extinction. An example is Mapuzugun, the language of the indigenous Mapuche in Chile and Argentina. There are about 1.7 million Ma-

<sup>44</sup> AKANKSHA MITTAL (2015): *Tribal Languages in India – Reasons for Decline (3/4)*. Online: <https://www.wordsinthebucket.com/indian-triballanguages-3> [accessed June 19, 2019]

<sup>45</sup> ADIVASI-KOORDINATION (2019): *Solidarität mit Indiens Ureinwohnern*. Online: <https://www.aktivasi-koordinat>

nation.de/wpdev/wp-content/uploads/2019/04/AKD\_rundbrief67-1.pdf [Accessed June 19, 2019]

<sup>46</sup> HAGOPJAN, A. (2019). *Indigenous Languages vs Extinction*. In: Bolivian Express Magazine. Online: <http://www.bolivianexpress.org/blog/posts/indigenous-languages-vs-extinction> [Accessed June 1, 2019]

puche living in Chile – but their language, Mapuzugun, is spoken by only 150,000 people.<sup>47</sup> It is neither officially recognized nor is it under state protection, although Chile is one of the signatories to ILO Convention 169 and although several indigenous rights were secured in the constitution since the end of the military dictatorship in 1990.

On the basis of these rights, there is an official umbrella organization for indigenous peoples in Chile, the Corporación Nacional de Desarrollo Indígena (CONADI, founded in 1993), which is subordinate to the Ministry of Social Development, meaning that its political room for maneuver is limited. In 2018, the establishment of a ministry for indigenous peoples was decided, but it has not been established until today (as of summer 2019). This is another example of a state that officially intends to support indigenous communities and their rights, while there is not enough political will to actually implement such plans.<sup>48</sup>

With regard to language support, there is a law (adopted in 2010) according to which Chilean schools are obliged to teach Mapuzugun. However, this law is considered ineffective because of several factors: the minimum of 20 percent indigenous students per class is only reached in rural areas – and the absolute number of students in Santiago de

Chile, where about 50 percent of the Mapuche live, is not enough to meet this criterion. Thus, Mapuzugun is not taught at schools there until today.<sup>49</sup> In addition, there is a shortage of qualified teachers, adequate programs to train these teachers, and guidelines on the extent of language teaching.<sup>50</sup> The fact that Mapuzugun only has to be taught where there is a high proportion of Mapuche students shows that language support for Mapuzugun is only provided within the Mapuche population – and the state has no ambitions to establish it among the non-indigenous population.

A central factor regarding the disappearance of Mapuzugun is everyday racism. In Chile, indigenous communities are still marginalized. The people are forced to migrate to the big cities for jobs and submit to the demands of a globalized labor market. Many Mapuche, being confronted with racism, choose to educate their children against traditional knowledge. The parents hope that their children will have better future prospects if they speak good Spanish or English, and Mapuzugun becomes less important. It is no longer a priority to learn an indigenous language that is only spoken within a relatively small community.<sup>51</sup>

Only 16 percent of the indigenous parents in rural areas speak Mapuzugun

<sup>47</sup> MILESI, O. (2018). *Indigenous Rights Land, Water and Education. Priorities for Chile's Mapuche People*. In: Inter Press Agency News Agency. Online: <http://www.ip-snews.net/2018/08/land-watereducation-priorities-chiles-mapuche-people/> [Accessed June 1, 2019]

<sup>48</sup> O.A. (2019): CONADI. Online: <https://en.wikipedia.org/wiki/CONADI> [Accessed June 1, 2019]

<sup>49</sup> CLARK, H. (2018). *Global Education Monitoring Report 2019: Migration, displacement and education: Building bridges not walls*. Online:

<https://unesdoc.unesco.org/ark:/48223/pf0000265866> [Accessed April 16, 2019]

<sup>50</sup> Indigenous people themselves criticize that learning grammar rules and vocabulary is a western way of thinking and learning a language. Languages such as Mapuzugun, which are based on living as one with nature, cannot be adequately acquired this way – see <https://med-crave-online.com/JHAAS/JHAAS-01-00031.pdf>

<sup>51</sup> ESCUELA SPANISH ARGENTINA-CHILE-PERU (Ed.)(2019): *Cultural Tidbit: Preserving the Mapuche's*

with their children, and only 2.4 percent in urban areas.

Thanks to smaller organizations and initiatives established by the indigenous communities themselves, the issue of indigenous rights, and especially language rights, has been on the national political agenda for years. The state takes small initiatives like this seriously, and the demands to preserve the indigenous language are heard. However, bilingual education has so far only been implemented in rural areas.<sup>52</sup> In order to increase the significance of the language, especially among the younger Mapuche, it would have to be taught comprehensively and integrated into everyday life in the entire country.

### The situation of indigenous languages in Indonesia

In the Asian region, countries with a colonial heritage and a large indigenous population have very similar problems and tendencies. Indonesia, as a former colony of the Netherlands, is one of the countries with the greatest cultural and linguistic diversity worldwide. Still, indigenous languages play a slightly dif-

ferent role here, as the official language Malay is also an indigenous language. Malay served as a basis to establish a nation-state, and it helped to create a sense of national pride. From the viewpoint of the state, Indonesia's linguistic diversity is a threat to national sovereignty and development.<sup>53</sup> It is noteworthy that Indonesia's 45 million indigenous inhabitants speak about 800 different languages,<sup>54</sup> while there is no equivalent to the word *indigenous* in the national vocabulary.<sup>55</sup>

English plays a central role in Indonesian foreign language teaching and is praised as a global language that ensures better future opportunities. In contrast, other languages are associated with lower social status and are taught only occasionally.<sup>56</sup> If there are lessons in indigenous languages, there is still a lack of teachers – and those who exist are often not educated sufficiently. The only successful approaches are self-organized programs of indigenous communities that provide voluntarily classes in addition to school education. The indigenous umbrella organization of Indonesia, Aliansi Masyarakat Adat Nusantara (AMAN), is very active in

*Language*. Online: <https://ecelaspanish.com/cultural-tidbit-preserving-the-mapucheslanguage/> [Accessed June 6, 2019]

<sup>52</sup> MINORITY RIGHTS GROUP INTERNATIONAL (Ed.) (2019): *World Directory of Minorities and Indigenous Peoples. Chile Mapuche*. Online: <https://minorityrights.org/minorities/mapuche-2/> [Accessed June 6, 2019]

<sup>53</sup> SUGIHARTO, S. (2013): *Indigenous language policy as a national cultural strategy*. In: The Jakarta Post. Online: <https://www.thejakartapost.com/news/2013/10/28/indigenous-languagepolicy-a-national-cultural-strategy.html> [Accessed May 16, 2019]

<sup>54</sup> WIDIANTO, S. (2018): *Indonesia's Indigenous languages hold the Secrets of Surviving Disaster - Introducing hard-learned local wisdom into warning efforts could save thousands of lives*. Online: <https://foreignpolicy.com/2018/10/15/indonesiasindigenous-languages-hold-the-secrets-of-surviving-disaster/> [Accessed May 16, 2019]

<sup>55</sup> SUGIHARTO, S. (2013): *Indigenous language policy as a national cultural strategy*. In: The Jakarta Post. Online: <https://www.thejakartapost.com/news/2013/10/28/indigenous-languagepolicy-a-national-cultural-strategy.html> [Accessed May 16, 2019]

<sup>56</sup> RAHMI, R. (2015). *The development of language policy in Indonesia*. Online: [https://www.researchgate.net/publication/322711695\\_THE\\_DEVELOPMENT\\_OF\\_LANGUAGE\\_POLICY\\_IN\\_INDONESIA](https://www.researchgate.net/publication/322711695_THE_DEVELOPMENT_OF_LANGUAGE_POLICY_IN_INDONESIA) [Accessed April 22, 2019]

trying to protect the various indigenous languages and has a branch organization for educational rights.<sup>57</sup>

### Tamazight, the language of the Amazigh in Morocco

Similar to Latin America and Asia, the colonial history also has consequences for the African states, affecting the living conditions of indigenous peoples. Thus, many of the indigenous Amazigh in the Maghreb states live in the former French colony Morocco. Although Morocco adopted the UNDRIP declaration, the Amazigh are not officially recognized as indigenous to the country.<sup>58</sup> The Tamazight language, which is spoken by more than a third of the Moroccan population, is on the decline, although the state officially promotes its preservation.

Nevertheless, Tamazight is hard to find in everyday life. The public authorities and key institutions only work in Arabic or French.<sup>59</sup> Often, not even official websites are available in Tamazight, and only 2 percent of all literature published in the country has been published in Tamazight. There is a lack of participation in matters of language rights – and there are even cases in

which first names in Tamazight were not allowed.<sup>60</sup>

In Morocco, too, the education system reflects the lack of government initiative to protect indigenous languages. According to a law that was passed in 1994, Tamazight was supposed to be taught at schools, but this was not implemented until 2003 – and not even widespread, as only 12 percent of the Moroccan school pupils are currently learning Tamazight. In 2017, the Moroccan Minister of Education stated that the teaching methods for Tamazight should be revised and that up to 300 additional teachers would be trained to teach all three national languages (Tamazight, Arabic, and French). However, there are no sources to prove that this actually happened. At primary schools, there are supposed to be at least three weekly lessons in Tamazight, but there are no mandatory lessons in this language at secondary schools. Again, there is a lack of competent teachers and the motivation to implement language rights is poor.<sup>61</sup>

There are only four cities (Fez, Oujda, Rabat, and Agadir) in which it is possible to study Tamazight at a university. The fact that there are thousands of

<sup>57</sup> HENNING, R. (2015). *AMAN (Indigenous Peoples Alliance of the Archipelago)*. Online: <https://publicpolicyindonesia.wordpress.com/2015/08/13/aman-indigenous-peoplesalliance-of-the-archipelago/> (Accessed May 17, 2019)

<sup>58</sup> UN COMMITTEE FOR HUMAN RIGHTS (2016): *Amazighs of Morocco: an indigenous people despoiled*. Online: [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/MAR/INT\\_CCPR\\_CSS\\_MAR\\_25280\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/MAR/INT_CCPR_CSS_MAR_25280_E.pdf) [Accessed April 23, 2019]

<sup>59</sup> LINDSEY, U. (2017): *A Dispatch from the Casablanca Book Salon*. Online: <https://www.al-fanarmedia.org/2017/02/dispatch-casablancabook-salon/> [Accessed June 13, 2019]

<sup>60</sup> LA FÉDÉRATION NATIONALE DES ASSOCIATIONS AMAZIGHES (Ed.)(2016): *Shadow Report of the National Federation of Amazigh Associations in Morocco On Amazigh Linguistic and Cultural Rights in Morocco. Review of the Sixth National Report of Morocco*. Online: [http://fnaa.ma/Shadow\\_Report\\_FNAA-CDH\\_session\\_118\\_EN.pdf](http://fnaa.ma/Shadow_Report_FNAA-CDH_session_118_EN.pdf) [Accessed June 6, 2019]

<sup>61</sup> CHTATOU, M. (2019). *The State of Amazigh Culture in Algeria and Morocco*. Online: <https://intpolicydigest.org/2019/01/31/the-state-of-amazighculture-in-algeria-and-morocco/> [Accessed April 23, 2019]

graduates in this course of study every year shows that, in comparison with Chile or Indonesia, there is a great interest in the language.<sup>62</sup> In consultation with the Royal Institute of Amazigh Culture (ICRAM), the government encouraged other higher education institutions to offer further training programs in Tamazight. The Royal Institute, which was founded in 2001, is important for the promotion of Tamazight, as it helps to integrate the language into the school system. However, as it first had to develop a standardized version of the Tamazight language, it is often criticized for simplifying and breaking down the Amazigh identity.<sup>63</sup>

Another institution that focuses on the Amazigh culture is the National Association of Amazigh Associations (FNAA) in Morocco, which criticizes that the state institutions only speak of "the Amazigh language" instead of using the official name Tamazight. From this point of view, the identity and self-image of the Amazigh are neglected, and their language is reduced to an appendage of their self-image rather than being recognized as a real language. Although the "Amazigh language" was officially recognized as a national language in 2011, it is not mentioned by name – and it is given lower priority than Arabic and French.<sup>64</sup> Therefore, postcolonial

structures are to be found in this example, and they are even promoted by the state.

The organization Amazigh Cultural Movement (ACM) is the umbrella organization of about 800 Amazigh associations in Morocco. One of the main goals of the ACM, apart from securing land rights, is to bring the Tamazight language to the country's classrooms.

### Indigenous languages in Bolivia

*"They speak to Indigenous people about democracy and human rights. Can there be democracy or rights when our indigenous peoples live crushed by the tyranny of capital?"*

*Evo Morales at the opening ceremony of the UN Year of Indigenous Languages, New York on February 1, 2019.*

Bolivia is the Latin American country with the largest indigenous population, currently accounting for 62.2 percent of the overall population.<sup>65</sup> All 36 indigenous languages and groups are officially recognized. Thus, Bolivia is a plurinational state – with Evo Morales as the first indigenous president. His official statements on the equality of indigenous rights earned him great popularity. Internationally, he is a prominent representative of indige-

<sup>62</sup> LINDSEY, U. (2015). *The Berber Language: Officially Recognized, Unofficially Marginalized?* Online: <https://www.al-fanarmedia.org/2015/07/the-berber-language-officially-recognized-unofficially-marginalized/> [Accessed June 10, 2019]

<sup>63</sup> CHTATOU, M. (2019). *The Amazigh Cultural Renaissance*. Online: <https://www.washingtoninstitute.org/fikraforum/view/the-amazigh-cultural-renaissance> [Accessed June 12, 2019]

<sup>64</sup> GREENE, M. (2017). *The long road to recognition*. Online: <https://en.qantara.de/content/morocco-amazigh-the-long-road-to-recognition> (Accessed: June 12, 2019)

<sup>65</sup> TELESUR (Ed.) (2019): *Evo Morales: „Indigenous Languages are Part of our Identities“*. Online: <https://www.telesurenglish.net/news/Evo-Morales-Indigenous-Languages-Are-Part-of-Our-Identities-20190201-0016.html> (Accessed June 17, 2019)

nous rights. He contributed significantly to the planning and implementation of the UN Year of Indigenous Language, and he spoke at the opening ceremony in New York on February 1, 2019.

However, if we take a closer look at Bolivia, we see a country that is deeply divided in political questions. Indigenous rights are not implemented, and there are only very few initiatives to improve the living conditions of the indigenous population. Admittedly, Evo Morales ensured that the 2009 Constitution officially recognizes all 36 indigenous languages (and officials are encouraged to speak the language that is common in their area) and he initiated a reform of the education system (in 2013) according to which the most widespread indigenous language of a region

is supposed to be taught at schools in addition to English and Spanish. However, there appears to be a lack of political will to actually implement the reform, and other things are given more priority. In contradiction with his directives, he himself speaks only little Aymara, and his public speeches in his own country are almost exclusively held in Spanish. Even the education reform has hardly been implemented until today. There aren't many teachers who teach Spanish as well as an indigenous language, and the schools are poorly equipped – especially in rural areas. Spanish is the dominant language in everyday life, and it is essential for taking up a course of studies or for getting a good job. The political ambitions and social reality are far apart.<sup>6667</sup>

### 3. Language rights are not even granted in democratic societies

Democratic states are usually constituted of open societies that aim to come to terms with the past, thus acknowledging the injustices inflicted on minority groups and indigenous peoples during and after the colonial era. Some democratic states are seen as good examples for the implementation of indigenous rights. In these countries, language rights are enshrined in national legislation, and indigenous people have a say in any decisions that affect them. This is ensured by own parliaments, such as the Sametinget of the

Sami peoples in the Scandinavian countries. These states acknowledge their responsibility to revitalize indigenous languages and accept their responsibility to make post-colonial reparations. However, democratic governments have economic interests as well, meaning that language rights are rarely a matter of top priority and education programs are often poorly funded. Apart from that, members of indigenous communities often suffer from deep-rooted racism. Even in democratic systems that recognize language

<sup>66</sup> VIERECKE, L. U. C. PETERS (2015): *Primary Schools- Bilingual Education*. Online: <https://www.dandc.eu/en/article/why-many-bolivian-primary-schools-use-two-languages-classroom> [Accessed June 10, 2019]

<sup>67</sup> HAGOPJAN, A. (2019): *Indigenous Languages vs Extinction*. In: Bolivian Express Magazine. Online: <http://www.bolivianexpress.org/blog/posts/indigenous-languages-vs-extinction> [Accessed June 6, 2019]

rights and are to be seen as best-practice examples regarding their implementation, speakers of indigenous languages are still discriminated against in public life. There is often a lack of political will to actually implement language rights and to consistently work against discrimination.

### Canada implements advanced yet inadequate laws

In Canada, according to the 2011 census, 213,500 people speak an indigenous language as their first language. Canada is considered a positive example of bilingual education. The very fact that French and English are used on an equal footing and that bilingualism is therefore regarded as normal is an indication of good language policy. However, it was not until 1977 that indigenous languages were recognized in the Cultural Enrichment Program and subsequently integrated into school education.

Since then, numerous programs have been launched, some of which are funded by the state. In two Canadian territories, nine indigenous languages now have official status.<sup>68</sup> In 2019, the Trudeau government passed the Indigenous Language Act, which aims to promote, protect, and revitalize indigenous languages. Indigenous organizations consider the law purely "symbolic" as it is based on colonial struc-

tures. From this point of view, the Language Act does not bring anything new, nor does it entail any obligation for the government to show commitment to preserving languages.<sup>69</sup>

As early as in 1972, the *National Indian Brotherhood*, the organization that represented the Canadian First Nations back then, demanded an autonomous self-administered education system. Ultimately, this led to the 1987 Canadian Multiculturalism Act, which promotes the preservation and transmission of cultural heritage and officially recognizes some indigenous languages. Apologies for the former assimilation policy of sending indigenous children to boarding schools were issued in 1998 and in 2008.

According to Canadian Prime Minister Justin Trudeau, there is an ongoing process of decolonization of government structures.<sup>70</sup> Generally, the Canadian government admits that it is responsible for the current precarious situation of the indigenous languages, and it is committed to creating and financing according revitalization measures.

In most indigenous territories, indigenous languages are taught at schools and funded by the state. There are schools in which indigenous languages taught – in a bilingual or multilingual context – and there are few universities where it is possible to study indigenous languages.<sup>71</sup> Canada aims to promote

<sup>68</sup> BURNABY, B. (2008): *Language Policy and Education in Canada*. In: Hornberger, N. (Ed.): *Encyclopedia of language and education*. New York: Springer. pp. 331–341

<sup>69</sup> CBC (2019): *Language advocates have funding questions about Ottawa's new Indigenous Languages Act*. Online: <https://www.cbc.ca/news/indigenous/indigenouslanguages-act-funding-questions-1.5006923> [Accessed June 14, 2019]

<sup>70</sup> WESSENDORF, K. (2018): *Part I Region and Country Reports. North America*. In: JACQUELIN-ANDERSEN, P. (Ed.): *The Indigenous World 2018* Copenhagen: IWGIA. pp. 59–67

<sup>71</sup> TRUJILLO, O. V. (2017): *Indigenous peoples and education in the Northern American region*. In: UNDESA: *State of the Worlds Indigenous Peoples: Education*. Online:

indigenous programs and according teacher training initiatives. However, there appears to be a lack of resources to implement them properly.<sup>72</sup>

Bill C-262, the national UNDRIP implementation bill, is currently (summer 2019) being negotiated in the Senate. The bill was drafted in cooperation with indigenous representatives, and it includes, in addition to the right to language, a passage according to which the state is encouraged to actively participate in the implementation of this right.<sup>73</sup> Nevertheless, English remains the dominant language in public institutions – and it is not enough to provide mere translations, as they tend to distort the meaning and make communication more difficult. Fluent English skills are a prerequisite to get a job, and there are few incentives to learn indigenous languages. There are hardly any opportunities to actually use indigenous languages – except from the schools and the private homes – which is why, in the longer term, not many people are motivated to learn an indigenous language.<sup>74</sup>

Although Canada has largely managed to incorporate the protection and preservation of indigenous languages in legislation and programs, and despite the abundance of measures under

the Trudeau government, there is still room for fundamental criticism. Mainly, it is criticized that the funding is not transparent enough and that indigenous languages do not have an official status.

### Australia's positive tendencies of recent years

Before the arrival of the Europeans in 1770, there were about 250 languages in Australia. By 2002, only about 20 of these languages were passed on to the next generation. As it was the case in Canada, New Zealand, and the US, indigenous children in Australia were separated from their families and communities in order to educate them in boarding schools. Australia adopted UNDRIP in 2009,<sup>75</sup> but ILO Convention 169 has not yet been ratified.<sup>76</sup> Indigenous languages have no official status. This often complicates access to administrative affairs and public institutions, as most information is only available in English only.

Australia recognized the importance of indigenous languages and indigenous knowledge quite early – and bilingual schools were promoted from 1974 onwards. Thus, the shift in attitude towards these languages is all the more disappointing: as of 1982, new language programs were once again aimed

[https://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP\\_web.pdf](https://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP_web.pdf) [Accessed July 22, 2019]

<sup>72</sup> UNIVERSITY OF MANITOBA (2019): *Helping Canadian schools support Indigenous language learning*. Online: <https://news.umanitoba.ca/helping-canadian-schools-support-indigenous-language-learning/> [Accessed June 12, 2019]

<sup>73</sup> PARLIAMENT OF CANADA, HOUSE OF COMMONS (2018): *Bill C-262*. Online:

<https://www.parl.ca/DocumentViewer/en/421/bill/C-262/third-reading> [Accessed June 6, 2019]

<sup>74</sup> FONTAINE, L. ET AL. (2017): *What Canada's New Indigenous Languages Law Needs to Say and Say Urgently*.

<sup>75</sup> RECONCILIATION AUSTRALIA (2017): *Reconciliation Australia. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*. Online: <https://www.reconciliation.org.au/wp-content/uploads/2017/11/Reconciliation-AustraliaUnited-Nations-Declaration-on-the-Rights-of-Indigenous-Peoples-UNDRIP.pdf> [Accessed June 1, 2019]

<sup>76</sup> INFOE (2019): *ILO 169 Rechte für indigene Völker*. Online: <https://www.ilo169.de/was-ist-die-ilo/was-ist-die-ilo-konvention-169/> [Accessed June 13, 2019]

at promoting English as the only official language. These so-called *two-way programs* are supposed to be equitable (education in English and in indigenous languages), but English is still prioritized. It is argued that the focus should be on being able to cope well within the majority society. Since 2008, several bilingual programs were given up, e.g. in the Northern Territory, without prior consultation of the indigenous communities.<sup>77</sup> This decision is exemplary for a policy that is based on discriminatory assumptions – such as that indigenous communities are per se bound to fail and that the western education models of the Australian majority society are best suited for indigenous people as well. Here, it becomes clear that the Australian authorities are aware of the problem of discrimination, but that the solution is primarily seen in assimilation instead of trying to preserve languages.<sup>78</sup>

The state of New South Wales decided to discontinue its bilingual programs too. Following harsh criticism, a change of direction was initiated. In 2017, this led to the Aboriginal Languages Act, which recognizes the importance of indigenous languages. The law includes guidelines for the funding of local language projects and language revitalization programs. In some ways, indigenous languages are slowly gaining appreciation. As of 2017, a total number

of 39 Australian universities are offering a program (scheduled to run until 2020) that is supposed to promote indigenous students, but also to encourage non-indigenous students to study indigenous knowledge. The aim is to address these issues and raise awareness for indigenous issues in society.<sup>79</sup>

### Finland, Norway, Sweden – Scandinavia and the Sami

The different languages of the Sami are spoken in different regions, by around 24,000 people in total at the moment. Finland, Sweden and Norway recognize their responsibility for the revitalization of the languages. Language rights are enshrined in national legislation, and their implementation is implemented in government-funded programs. The three countries have different education systems, but common to them is the fact that the Sami language is taught at schools in the Sami regions. Outside of these regions, however, there is a lack of teachers and a lack of funding, so Sami is not taught comprehensively there.<sup>80</sup> Municipalities in Sweden are only required to provide mother-tongue education if there are teachers available. If this is not the case, Sami lessons are not provided. A special feature is the legal representation of the Sami people, the Sametinget. This Sami parliament is primarily a consultative institution, but it can render decisions in the field of education.

<sup>77</sup> *ibid.*

<sup>78</sup> SIMPSON, J. ET AL. (2009): *Gaps in Australia's Indigenous Language Policy: Dismantling bilingual education in the Northern Territory*. In: AIATSIS Research Discussion Paper No.24, Canberra: ASIATSIS.

<sup>79</sup> NSW GOVERNMENT – ABORIGINAL AFFAIRS (2017): *NSW Aboriginal Languages Legislation*. Online:

<https://www.aboriginalaffairs.nsw.gov.au/policy-reform/language-and-culture/nsw-aboriginallanguages-legislation> [Accessed June 12, 2019]

<sup>80</sup> SHCHUKINA, O. ET AL. (2018): *Norwegian policy on sami language learning and preservation*. In: Polish Journal of Educational Studies 2018 Vol.71 (1) (pp. 185-194). Online: <https://www.degruyter.com/downloadpdf/j/poljes.2019.71.issue1/poljes-2018-0015/poljes-2018-0015.pdf> [Accessed June 6, 2019]

Despite the language laws, which are quite well implemented, there is deep-rooted racism in the Scandinavian countries.<sup>81</sup> Therefore, many Sami decide to adapt and to refrain from using their language in everyday life, as this would contribute to them being seen as different.

As a ratifying state of ILO Convention 169 (1989), Norway has a special status. As early as in 1959, indigenous children were allowed to be taught in Sami, and the language was officially recognized in 1969. The Sami Law of 1987 governs that laws and official statements to the public, if they concern the Sami, must be available in their language – and public sector employees have to learn Sami if it is important for the respective administrative departments.

At the same time, it is critical to note that Sami schools exist only in Sami regions and that it is difficult to learn the language outside of these communities. Children who do not visit a Sami school will only have a few hours of Sami lessons a week. Municipalities are only required to provide mother-tongue education if there are teachers available. However, as there is a lack of teacher training at the universities, it is difficult to establish Sami lessons at all the schools. This means that it is not only necessary to ensure that indigenous languages are taught at schools,

but that these lessons are seen as similarly important as other subjects in order to counteract everyday racism.

### New Zealand: the positive example of the Maori lacks recognition as well

In New Zealand, about 630,000 people belong to the Maori. This corresponds to about 15 percent of the total population. A census from 2013 showed that about 125,000 people still speak Maori, especially in the north and the east of North Island.<sup>82</sup> Currently, 300,000 students are learning the Maori language – and it is becoming more popular even in regions where the language had already disappeared.<sup>83</sup> Since 1987, with the passing of the Maori Language Act, the language of the Maori, known as Te Reo Maori, has official status and is very present in everyday life, even through independent indigenous media. This is mainly due to the early formation of committed activism, which often serves as a positive example.

From as early as 1982, prior to the official recognition of Te Reo Maori, there were self-organized "language nests" (te kohanga reo) in New Zealand – and the first immersion schools (kura kua-papa) were established in 1987. Language rights were associated with land rights at quite an early stage, and the government promised to support al-

<sup>81</sup> DE VARENNES, F. (2012): *Language, Rights and Opportunities: The Role of Language in the Inclusion and Exclusion of Indigenous Peoples. Submission on the role of languages and culture in the protection and promotion of the rights and identity of indigenous peoples to the UN Expert Mechanism on the Rights of Indigenous Peoples.* Geneva: United Nations EMRIP

<sup>82</sup> STOBER, A. (2018): *Planet Wissen. Die Sprache der Maori.* Online: <https://www.planet-wissen.de/kultur/voelker/maori/pwiediesprachedermaori100.html> [Accessed June 13, 2019]

<sup>83</sup> 100% PURE NEW ZEALAND (2017): *How New Zealanders are working to keep the Māori language alive.* Online: <https://media.newzealand.com/en/events/how-new-zealanders-are-working-to-keep-the-maori-l/> [Accessed June 13, 2019]

ready existing activist programs. However, programs that were initiated by the government at that time lack sufficient funding, so that it is mainly social movements that help to preserve indigenous languages.<sup>84</sup> At Massey University, Maori was recognized as an official language in 1987, and new guidelines (adopted in 1997) allow students to take examinations and to submit scientific papers in the Maori language.<sup>85</sup>

Meanwhile, several universities and institutions of higher education in New Zealand offer language courses and immersion courses.

By 2008, the number of people who speak Maori had decreased – despite immersion programs for preschools, schools, and higher education institutions, as well as for indigenous radio and television stations, community project funding plans, surveys, and research. The research group Te Paepae Motuhake criticized that the govern-

ment language programs are not coordinated sufficiently, and that there is a lack of teachers and a lack of consultations with indigenous communities.<sup>86</sup> In addition, there are not enough teaching materials and programs to achieve full revitalization. In 2016, another Maori Language Act was initiated – with 7.5 million New Zealand Dollars (about 4.5 million EUR) for revitalization projects – aiming to establish an actual partnership.<sup>87</sup>

According to government plans, all schools should offer Maori lessons by 2025. However, it is still not common to use indigenous languages in everyday life. In the public sphere, in the context of services and civil affairs, the indigenous language is still not very common – and job opportunities are only available to those who speak fluent English. Thus, the general pattern also applies to New Zealand: language rights are never fully implemented.

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<sup>84</sup> AL-MAHROOQI, R. U. ASANTE, C. (2012). *Revitalizing the Maori language: A focus on educational reform*. In: Social Sciences & Humanities Vol.20 (4). Selangor: Pertinaka Journals. (pp. 1035-1048)

<sup>85</sup> MASSEY UNIVERSITY (2005): *MATUA REO KAUPAPA – MĀORI LANGUAGE POLICY*. Online: <http://www.massey.ac.nz/massey/fms/PolicyGuide/Documents/University%20Management/Maori%20Language%20Policy.pdf> [Accessed June 6, 2019]

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## Part III: Indigenous language preservation projects

Indigenous languages are often seen as less prestigious – or even as a sign that someone is behind his/her time. There is not necessarily a lack of state programs to include indigenous languages in education systems – but most of them exist primarily on paper, while the governments are often not willing to invest very much to train indigenous teachers or to provide education programs or teaching material. Apart from that, the indigenous communities themselves are not sufficiently involved in the design and implementation of language teaching and language cultivation.

Especially among young indigenous people, there is growing interest in their own culture and language. Language is identity – and regaining one's own language can strengthen one's self-esteem. Special media, radio, TV, and online offers in indigenous languages could be a way to preserve and disseminate existing knowledge. Indigenous experts, teachers, and learners could communicate quickly and across great distances, exchanging views via language-specific software. Without the Internet, the indigenous language projects presented below would be difficult to maintain. They clearly show how alive indigenous languages can be if the speakers are able to design their own programs – creatively and according to the needs of their respective indigenous communities. These examples are representative of many others. They have in common that they build on the initiative and ingenuity of the indigenous initiators – and that they are completely underfunded. Many of the

indigenous language projects are suffering from a lack of government funding.

[Further education in "foreign language didactics" for the revitalization of Mapuzugun, the threatened indigenous language of the Mapuche](#)

The parents and grandparents of today's young Mapuche had to endure torture and traumatic experiences in their school career. In order to protect their children from bad experiences like this, they decided not to pass on their knowledge of the language, following the principle of "adaptation as protection". Thus, at least one generation of native speakers of Mapuzugun was lost. Mapuzugun is increasingly replaced by Spanish and is threatened to disappear completely. Over the last few years, however, more and more Mapuche have come to identify with their own indigenous roots. The young generation will not be deterred by ongoing discrimination. At the same time, many parents agree that Mapuzugun should be taught at schools, even if they no longer speak the language themselves.

However, there is a lack of political will to provide sufficient funding to establish appropriate learning and teaching programs for pupils and teachers – and there are not enough well-educated mother-tongue teachers. For example, the program "Intercultural Bilingual Education" has existed for 20 years. Until 2018, school teachers cooperated with "traditional educators" who are familiar with the traditions and speak the language. Most of them were selected by their own indigenous community. In

these teams, the professional teachers were supposed to plan the course of the lessons, while the traditional educators were supposed to contribute the content. However, the working conditions of traditional educators are precarious. Many are very committed, but have to make do with inadequate financial compensation. The program expired in 2019 because no more traditional educators were hired.

This is where the work of Alina Namunkura Rodenkirchen comes in. The young Mapuche grew up in Germany and returned to Chile in 2015. She is a member of the group Kimeltuwe, and she creates didactic material to teach Mapuzugun. It can be downloaded for free from the website or the Facebook page of the group. There is also a grammar guide, but there is still a lack of funds to have it printed.

Alina Namunkura Rodenkirchen is a foreign language and second language teacher. She wants to pass on her methodological-didactic knowledge to the "traditional educators" as part of a training program she is currently developing – aiming to train them in foreign language didactics so that they can work in educational institutions. The training aims to empower graduates to create interactive learning environments and methods for their future students and to design appropriate teaching materials to teach Mapuzugun. A profound education in foreign language didactics is supposed to strengthen the position of the traditional educators in Chile's education system, thus increasing the chances of preserving the threatened language. In each course, 20 to 25 mother tongue

teachers are trained in weekend seminars. There is a detailed financing plan for the preparation of the course materials, the actual seminars, room rental, technical equipment, speaker fees, etc. – but there is still a lack of funding.

### Indigenous languages and the Internet – Global Voices, Rising Voices, and Activismo Lenguas

In Latin America, there is a young indigenous movement that uses digital technologies to communicate in native languages – but there is still a lack of networking at local, regional, and national level. In addition to virtual communication, they will have to initiate meetings in person to educate each other and to exchange experiences. Social media and the Internet can help to build a future for many of the threatened languages. Some languages that are almost completely extinct can at least be preserved in the form of sound samples – and teaching and learning plans for other languages can be easily and quickly exchanged between spatially divided communities. Native speakers of a threatened indigenous language can record their knowledge and share it with others who want to revitalize such a language.

The foundation *Global Voices* is an international and multilingual community of bloggers, journalists, translators, academics, and human rights activists. The project *Rising Voices* offers training and mentoring for communities that want to record their history in their own language using social media tools. More than 1,200 authors, analysts, Internet communications experts, and translators (covering more than 30 lan-

guages) are building a platform to support indigenous and disappearing languages. A second project under the umbrella of Global Voices is *Activismo Lenguas*, a digital network for indigenous languages in Latin America that specifically promotes indigenous languages by helping local language activists to raise public awareness, by organizing seminars and by networking.

Activismo Lenguas has already organized several meetings of digital voice activists. The current project: For November 2019, Jorge López and Eduardo Avila of Activismo Lenguas and the collective *Kaqchikel Winäq* are planning a major two-day festival of indigenous languages in Antigua, Guatemala. Digital activists for indigenous languages, organizations, academics, programmers, and responsible politicians from Latin America and beyond will get together to discuss the possibilities of revitalizing indigenous languages by means of technology.

The participants of the festival in Antigua will not meet in a virtual space, but in person. The costs of their participation, the necessary travel, accommodation, and meals will have to be covered by sponsors. Therefore, Jorge López and Eduardo Avila are trying to find sponsors who are willing to support prospective participants who don't have the necessary financial means. The project partner *Kaqchikel Winäq*, an indigenous Guatemala-based collective, aims to preserve Kaqchikel, one of the four main languages of the Maya in Guatemala. It is spoken by more than half a million speakers in 54 communities. The festival is also supported by the Universidad Maya Kaqchikel, which

has been active in three academic locations in Guatemala since 2014.

There, students are learning to establish a new model of good living through learning communities, based on the vision and culture of the Kaqchikel Maya. In addition, Rising Voices launched a campaign on the occasion of the International Year of Indigenous Languages in which voice activists from all over Latin America are featured on the Rising Voices Twitter account for one week.

### [Cape York in Queensland / Australia: The Pama Language Center](#)

In Australia, there is a growing demand for the inclusion of First Nations languages in school curricula and at universities. On the other hand, there is a striking lack of teaching materials, and there is not enough support for language research and for the training of native-language teachers. The language diversity is enormous.

Until the late 1970s, it was considered an offense to speak one of the indigenous languages. To date, none of the indigenous language rights have been recognized in Queensland. In Cape York, Queensland, the Pama Language Center (PLC) has been sponsoring a language program for the indigenous language Guugu Yimidhirr since 2015. The program is bound to come to an end soon, since there is no successor to the current indigenous teacher Lillian Bowen, who will retire in a few years. She is one of the few indigenous people in the region who still speak the native language and are qualified to teach.

The PLC works as a virtual center for the preservation and archiving/editing of First Nations languages. The focus lies on language documentation by professional linguists and on language revitalization. This includes initiative to draw up teaching materials for elementary schools, e-books, composition and drawing workshops in the Aboriginal communities, and also an online course. The PLC is currently working with 16 aboriginal communities to revitalize their languages – employing six linguists, a music professional, a choir-master, and a cartoonist who create animations for the Apps of the *Pamamooves* project. These Apps, which are supposed to resemble a virtual library of animated building blocks, will empower teachers to create interactive learning materials and help people to learn the language.

The PLC is currently working with the indigenous language Guugu Yimidhirr. Their speakers live in Cook Town, north of Cairns. The parent generation does not speak the language fluently any more, but many are proud that their children are learning the language at school. The long-term goal is that all indigenous inhabitants of Cape York will speak their language fluently as a first language. There are 159 individual language varieties on Cape York alone. The PLC provides an interactive language map of the Cape York peninsula on its website.

The project Pamamooves offers, among many other features, different templates for lessons, class quizzes, films to introduce toddlers to the language,

and an animated dictionary. The is an intuitive drag-and-drop application, still in the project phase, that is designed to enable language multipliers and teachers to create their own animated materials using Pamamooves building blocks. The PLC is not able to implement this project on its own. They need a computer scientist to do the programming, and they are dependent on financial support. The PLC wants to put pressure on the Australian government to stop ignoring the indigenous languages and to promote initiatives to preserve the language, including financial support. The current funding will expire at the end of 2019.

The PLC is hoping for enough financial support for the next two years, in order to complete the Guugu Yimidhirr course by indigenous language expert Lillian Bowens and to create a set of further Pamamooves templates that can be integrated into a comprehensive indigenous language curriculum for the Hopevale School, where the PLC has been promoting the Guugu Yimidhirr language project since 2015. The positive effects of the project are already noticeable. The school has its own school song in Guugu Yimidhirr, which is sung by the entire school at meetings and presentation evenings. All teachers, including the non-indigenous ones, greet their classes in Guugu Yimidhirr. All the classroom signs have been changed to Guugu Yimidhirr. The children are proud of their learning success in the language, and their parents are too.

## Conclusion

Examples from everyday life show that indigenous languages need active protection and revitalization measures to ensure that the cultural heritage will not be lost. The involvement of indigenous speakers alone is not enough: financial support is needed to implement creative programs – and the states have to address the problem adequately in order to effectively revitalize these languages and improve their image in society. Indigenous organizations and their bilingual school programs need to work hand-in-hand with science and governments to protect acutely threatened languages in the long term.

Not least because of the international attention that indigenous peoples have received at the UN, indigenous rights have been enshrined in international law and national laws. Unfortunately, many international agreements are not binding, and there are not enough sanction mechanisms. Although the rights of indigenous peoples have been internationally acknowledged in many ways over the past 70 years, they are often insufficiently implemented on the national level. This is often due to a lack of political will, a lack of funds, or prejudice against indigenous language education – but the problem is also to be seen in a lack of control mechanisms concerning international treaties and conventions. Many of the conventions are voluntary, regarding the implementation as well as the reporting. Without insistent initiatives of indigenous interest groups, most of these conventions would not exist at all.

Indigenous organizations often emphasize that language is only one of the aspects of being marginalized. Often, indigenous peoples have to deal with existential threats, e.g. land rights conflicts. On the one hand, their governments grant them educational rights, while, on the other hand, prioritizing economic interests, such as mining or agribusiness, over indigenous rights.

Even in democratic states that recognize and respect indigenous rights, there are indigenous languages that are about to go extinct. Although the importance of indigenous languages, identity, and indigenous knowledge is acknowledged, there is a gap between good intentions and everyday reality. Thus, everyday racism based on language is a persistent problem. Compulsory indigenous language education for all students could help to reduce prejudice and to further mutual respect. Indigenous languages must also be visible in public life so that they can be incorporated into the everyday reality of a society in the long term.

As long as languages are not used outside of families and elementary schools, and as long as they are not recognized in public affairs, the majority language will always remain an entry requirement to jobs and educational institutions, e.g. universities. This focus on Western values has to be replaced by a vision of multicultural and plurinational societies in which multiple economic systems and knowledge systems can co-exist, thus preserving the multitude of languages.