

UNPFII Study Guide

Indigenous Languages



11. The Permanent Forum emphasizes the essential role of Indigenous Peoples' languages and cultural practices in self-determination and urges Member States to adopt stronger measures to protect them from erosion and loss. The Forum decries the ongoing destruction of cultural heritage sites and the loss of Indigenous Peoples' languages, urging immediate protective measures through robust legal and policy frameworks aligned with the Declaration

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Dear Delegates, this study guide is designed to introduce you to the topic that you will be discussing in your committee: [PFII](#)

PFII

The Permanent forum on Indigenous Issues was created by the UN under the umbrella of the UN Economic and Social Council (ECOSOC) in July 2000. This committee is responsible for [issues and topics relating to the rights and protection of Indigenous people](#) in roughly 70 countries that include a native population. The forum functions by discussing and resolving issues related to their specialized area, and then submitting a potential resolution to ECOSOC for implementation. The members are composed of 16 certified experts on Indigenous rights that are nominated for their position; half are chosen by governments and half by indigenous organizations.

Your committee will be dealing with the topic of Indigenous languages, their preservation and continued education, as well as tensions between state and tribal jurisdictions.

Indigenous languages

It is estimated that 25 languages become extinct every year. With 52% of languages spoken by fewer than 10,000 people, and 28% spoken by fewer than 1000, this trend is likely to continue. Due to population growth and the effects of globalization, 10 major languages are now the first language of almost half the world's population. Additionally, 83% of languages are only spoken in one country, putting minority languages and the rights of linguistic minorities at risk (Foundation for Endangered Languages, 2018). According to the UN, while 6,700 languages are still spoken today, [over 40% of them](#) are in danger of eventually going extinct. This situation is exacerbated by digitalization, which is even more dominated by a small number of hegemonic languages: [less than 2% of the world's languages](#).

Languages are deeply political entities because they are instrumental in the construction and expression of national and regional identity (Blommaert, 1996, 235). They can therefore be perceived as a threat by governments attempting to promote an all-encompassing national identity. In turn, linguistic minorities are often vulnerable to hostile state policies, including but not limited to: destroying literature and cultural material in the language, the state's refusal to recognize a language as "official" and the downgrading of languages from this status, all of which can undermine the rights of linguistic minorities. Currently, there is little official protection of minority languages and linguistic minority rights, partly because they are not specifically mentioned in the [UDHR](#).

Past actions

In 1992, the General Assembly adopted the [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#). While the resolution sets out general areas of rights, which states should guarantee, it lacks specifics on clear actions that should be taken and uses language, which does not push states hard on protections.

In 1996 PEN International, an international writers organization, presented the UNESCO Director General with a Universal Declaration of Linguistic Rights. However this declaration has yet to be formally adopted. A 2013 report by the UN's Special Rapporteur on minority issues focused on linguistic minorities. Nine key areas of concern were identified, from using minority languages on public signs, to education (OHCHR, 2018). Most recently, 2022-2032 was named the [International Decade of Indigenous Languages](#), after 2019 had already been designated as the [International Year of Indigenous Languages](#).

Other international organizations have taken clear actions. In 1992 the Council of Europe adopted the European Charter for Regional and Minority Languages. This sets two levels of protection, with clear actions that states can take to protect minority and regional languages, and a minimum level of protection to qualifying languages that must be met by all states. The charter thus guarantees state support to minority languages, and can be a model to learn from.

The challenge for this topic is to build on existing work on minority language protection. We would like to see delegates work together to create a clear global plan of action to protect minority languages and ensure the rights of linguistic minorities.

Key Players

- [Permanent Forum on Indigenous Issues](#): This is an advisory body created by ECOSOC Resolution 2000/22 to provide advice on indigenous issues, including languages.
- **National ministries**: such as Education, Culture, can affect how a language is used. Government laws and policies, like which languages to recognize, or to use on signs, and how much funding is allocated, have lasting impacts.
- **Indigenous groups**: are the ones with the most direct influence on language usage and incentive to keep them living languages. From official documentation to languages used in meetings, their decisions and policies will shape the use of the language.
- **Education**: In some cases, [charter schools](#) are helping new generations speak the language. Both formal education, in schools, as well as informal through afterschool, online and other educational programming, especially at younger ages, can help languages survive and thrive.

- **Technology companies:** can play a role in language preservation (through recording) and revitalization (through opportunities to learn and practice the language).
- **TV, Film industries:** use of indigenous languages in TV, movies, radio, books and other media in popular culture are immensely powerful in impacting their continued use.

Key issues

- **Economic Influence:** The language spoken by the economically stronger part of the population becomes dominant, and is needed by all others for employment and trade. This makes it very clear to the speakers of the economically weaker group that their own language is becoming useless and can lead to a severe decline in its use, with old people eventually becoming the only ones to use it regularly, and the language dying out with the older generations. This happened in the Inca Empire before the Spanish conquest and it has been the case in much of Aboriginal Australia and is strongly evident in both the USSR and China for the languages of a number of the small minorities there.
- **Cultural influence:** Language [plays a role in cultural influence](#). When a language is used infrequently, the culture it reflects is weakened; it is further marginalized when cultural and social events neglect that language. Examples of such relegation to culturally inferior and unimportant roles include small minority languages in the former USSR and China.
- **Political Influence and Conquest:** Political control can promote or weaken a language. For example, the Latin language of the Roman conquerors was adopted in many parts of the Roman Empire by speakers of Celtic, Iberian and other languages which gave rise to the present-day Romance languages. A more modern example is in Australia, where many Aboriginals have adopted English. Spanish, Russian, French, English, and Arabic have all spread through colonialization.
- **Education:** The language of instruction in schools and universities both creates a pool of speakers, and creates a need for expertise in the language. When there aren't schools in a minority language, or it proves to be an educational weakness (for example, leaving students unprepared for university), the language will likely be neglected.
- **Media:** Media tends to be in the majority language, leading to common adoption at the expense of minority languages. With media shaping our worldviews via news access, the language we hear it in is powerful for cultural perspectives, as well as linguistic fluency.
- **Native speakers:** As native speakers age and die, there are fewer left to keep a language alive and teach new speakers; each language thus has a critical time before it is lost.
- **Definition:** There is no internationally agreed definition as to which groups constitute minorities. It is often stressed that the existence of a minority is a question of fact and that any definition must include both objective factors (such as the existence of a shared ethnicity, language or religion) and subjective factors (including that individuals must

identify themselves as members of a minority).¹ Usually the minority has fewer members than the majority group, but there are exceptions, such as Blacks under the apartheid regime in South Africa, or non-Alawites in Assad's Syria. In some situations, a group which constitutes a majority in a State as a whole may be in a non-dominant position within a particular region of the State in question.

- **Official recognition of a language as a minority language:** Being officially recognized as a minority language implies that a language can claim certain rights, via laws, as well as funding and support by the nation-state's government. The official status of a language affects how it will be used and the resources spent on preserving it, including translations, signs, government sites, etc. as well as funding for use of the language. In some states, a minority language is regarded as the official or co-official language of the nation-state. Examples are the Basque language in Spain, the co-official language in three of the four provinces where Basque is spoken (in the BAC region), the Frisian language in the Dutch province of Fryslân, where it is the second official language of the state, and Wales, where Welsh is the official language together with English. In the case of Ireland, Irish is the first official language of the state and English the second official language of the country. Sometimes the nation-state has recognized the minority language or the minority community itself as an official minority, for example the Sorbian population in Germany. Such a status can boost the language's prestige, as well as its practical applications.
- **Political Exclusion:** Languages can connect and also exclude. When languages and dialects are used to exclude and weaken minorities, this hurts the language, the minority, and society in general. An example of this is the Chinese government's policies towards its Muslim Uyghur minority, a Turkic ethnic group with their own language. They live primarily in an oil rich region which the government considers strategically valuable. Chinese authorities have systematically engaged in destruction of Uyghur culture, through the destruction of books in the Uyghur language, the banning of teaching Uyghur history, and transferring all Uyghur children to Chinese speaking schools (Mukherjee, 2015, 69). This is being done to prevent Uyghur independence which would undermine China's existence as a unitary state.

Key Questions

- Is your country [home to any endangered languages](#)?
- Does your country have an official language or languages? Does it recognize minority or indigenous languages in any way?
- Does your country have a history of a minority indigenous language or colonialization?

¹ According to a definition offered in 1977 by Francesco Capotorti, Special Rapporteur of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, a minority is: A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.

- Does your country have a national action plan or government policy regarding language preservation?
- Which areas do you want to focus on?
- Should certain languages be prioritized for preservation?

Learn more:

- [25 Most Endangered languages in the World](#)
- [UNESCO Atlas of the World's Languages in Danger](#)
- [2019 IYIL](#)
- <https://culturesofresistance.org/language-preservation>
- [Protection of minority languages is human rights obligation](#)
- [Why it matters](#)
- [How countries preserve their languages](#)
- [Race against time](#)
- [Computers can help](#)
- <https://www.bbc.com/future/article/20140606-why-we-must-save-dying-languages>
- <https://www.bbc.com/future/article/20120531-can-we-save-our-dying-languages>
- [Tech efforts](#)
- [Preservation ideas](#)
- [Protection of minorities in Africa](#)
- [Linguistic rights](#)
- <https://culturesofresistance.org/language-preservation>
- [Language preservation](#)

UN Resolutions and official reports:

- [UNPFII Reports](#)
- [2010 UNESCO Atlas of Languages in Danger](#)
- [Language Rights of Linguistic Minorities](#) (2017 UN report)
- [2012 Report of the Independent Rapporteur](#) ([Arabic](#))
- [UN work](#)

Debates

- [Debate on Language preservation](#)
- [Death of a language](#)
- [BBC debate](#)
- [Debate on Afrikaans](#)
- [Debatewise](#)
- [Debate.org](#)

Watch:

- [Language preservation](#)
- [Why it matters](#)
- [What we lose with languages](#)
- [Preserving languages](#)
- [Wikitongues](#)
- [Digital resources](#)
- [Library of Congress](#)

PFII Study Guide

Tribal vs. States Rights



"There is no issue of State's rights or National rights. There is only the struggle for human rights."

Lyndon B. Johnson, Former President of the U.S. 1963-1969

These lands are, always were and always will be Aboriginal land – sovereignty never ceded.

Linda Burney: first indigenous woman elected to the Australian House of Representatives

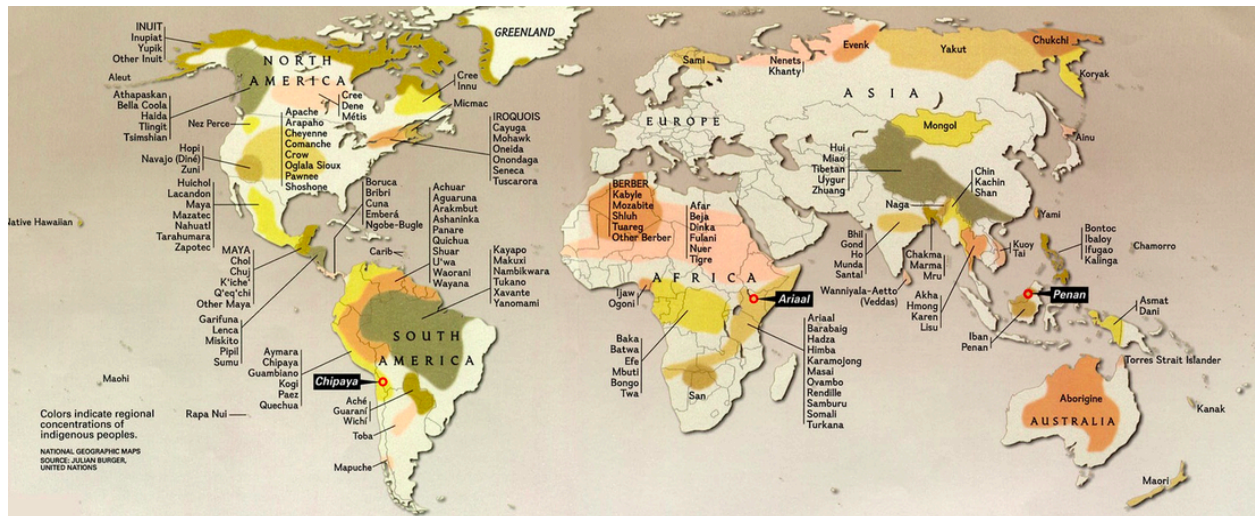
Tribal vs States Rights

Indigenous people make up around [476 million people across 90 countries, representing more than 6% of the world's population](#). While each group has their own traditions and ways of life, many share common struggles against marginalization, land dispossession, and limited political recognition. Because many indigenous groups in various states maintain distinct cultures, governance systems, and deep ties to ancestral lands, there is often conflict with states over laws and territory. Globally, Indigenous communities [occupy or manage an estimated 25% of the world's land](#), yet there are frequent contests with the government over authority on these territories, particularly when valuable natural resources are involved.

The tensions between indigenous groups and states take different forms across regions. In North America, for instance, pipeline construction projects have led to legal and political disputes between governments and tribal nations over environmental risks and treaty obligations. In Latin America, conflicts regularly arise over mining and resource extraction, sometimes escalating into protests or violence. Criminal law can often be a thorny issue, as tribes compete with federal or national bodies for jurisdiction. This can also veer into issues of human rights, religious freedom, and other topics.

Fundamentally, indigenous sovereignty exists on a continuum, with each indigenous group or tribe competing with local and national governments for authority in a range of areas, from taxes, to citizenship, laws and enforcement, to fields of education and culture. In each country, and sometimes from tribe to tribe, different arrangements may exist.

While international frameworks such as the United Nations Declaration on the Rights of Indigenous People ([UNDRIP](#)), adopted in 2007, affirm the principle of self-determination and the requirement for free, prior, and informed consent (FPIC), implementation remains inconsistent. The United Nations Permanent Forum on Indigenous Issues ([PFII](#)), established in 2000, continues to serve as an advisory body to address these challenges and provide insight and recommendations on balancing state sovereignty with Indigenous rights.



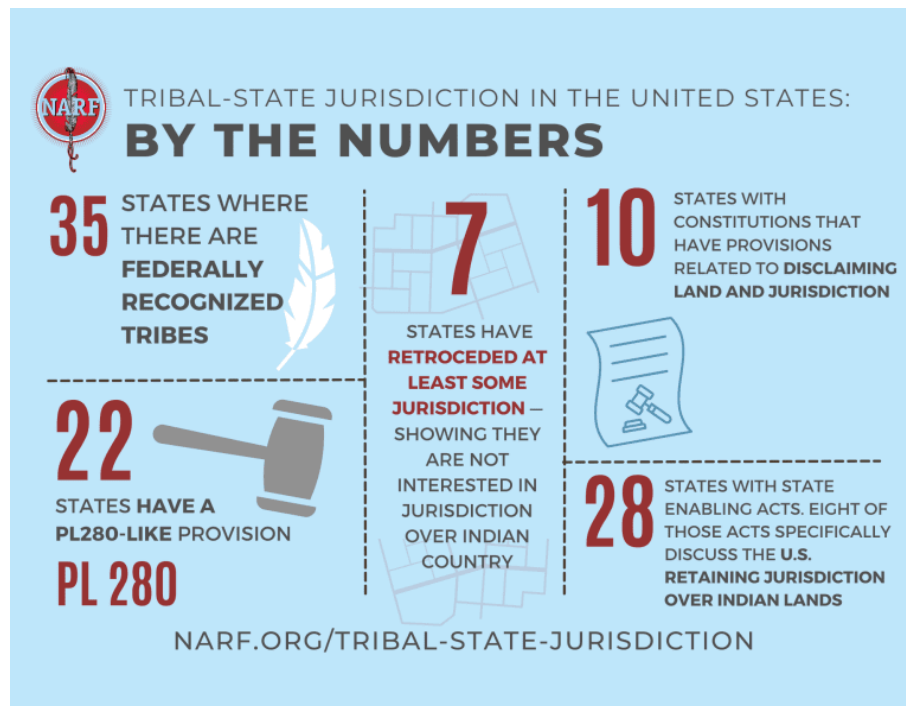
Timeline

- **1966:** [ICCPR](#), a treaty addressing the right of Self-determination (Art. 1), and rights of minorities (Art. 27), applicable to indigenous peoples.
- **1989:** [ILO Convention No. 169](#), an international treaty on indigenous rights.
- **2007:** [UNDRIP](#)
- **2016:** [The Paris Agreement](#), recognizing the need to “strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change”

Key Players

- **Indigenous Peoples Worldwide:**
 - Canada: First Nation, Intuit, and Metis
 - US: Cherokee, Navajo, Lakota (Sioux)
 - Norway, Sweden, Finland: Sami peoples
 - Chile, Argentina: Mapuche
 - New Zealand: Maori
 - Australia: Aboriginals
 - India: Adivasi
 - North Africa: Tuareg
 - Many more
- **Indigenous Representative Organizations:**
 - Intuit Circumpolar Council
 - Canada: Assembly of First Nations
 - Sami Council
 - Coordinator of the Indigenous Organizations of the Amazon River Basin (COICA)

- **Canada and US:** Frequent land disputes over land rights, pipelines, and treaties
- **Brazil and Various Latin American Countries:** Conflicts over Amazon land use, mining, and deforestation
- **Australia and New Zealand:** Ongoing issues over sovereignty, land recognition, and representation
 - [Australia's Voice to Parliament referendum in 2023](#)
 - [New Zealand's Treaty of Waitangi Issues](#)
- **Norway, Sweden, Finland:** Disputes with Sami peoples over reindeer herding, mining, and energy projects
- **United Nations Permanent Forum on Indigenous Issues (PFII):** Central UN advisory body on Indigenous matters



<https://narf.org/tribal-state-jurisdiction/>

Case Study:

The US provides an interesting example of the complexities of indigenous sovereignty, when considering state, federal, and tribal, laws and jurisdictions. Indians are first referenced in the US Constitution, which [gave the federal government the power to negotiate treaties with Indian tribes](#). Since then, there have been a [series of court cases](#), treaties, as well as state and federal actions, that have at times expanded and at other times restricted, native sovereignty.

Throughout the 1800s, native children were removed from their families and [forced to attend state or church-run boarding schools, where they were mistreated](#), and “re-educated” from their indigenous languages and religious practices, undermining the educational, linguistic, and cultural bedrocks of many tribes. The 1830 “[Indian Removal Act](#)” gave the US executive branch the authority to trade land west of the Mississippi to tribes for coveted native lands; in practice the tribes were often not given a choice in the matter, violating their territorial sovereignty. In 1953, [Public Law 280](#) saw the transfer of some authority over native sovereignty from the federal government to the states. When even the reallocated tribal lands were discovered to be on oil rich and otherwise valued land, the US Congress passed the [1889 Dawes Act](#), allowing it to redivide tribal lands into individual plots, keeping surplus lands for itself, and making it easier to purchase land via a “divide and conquer” approach, or by designating government agents in charge of decisions “on behalf” of native citizens. In the early 1900s, the finding of oil reserves on tribal lands turned into a curse—as tribes faced the [loss of sovereignty and decision-making](#), or worse, [outright murder](#). The 1968 [Native Civil Rights Act](#) ensured that civil rights guaranteed to non-native US citizens would also apply to natives living on tribally administered territory. More recent steps have focused on [trying to increase cooperation](#) in addressing crime and socioeconomic issues [plaguing indigenous communities](#), or [mining and developing tribal lands](#).

In **Australia** by contrast, the [terra nullius](#) concept was used to claim that the land on which the country was founded had never belonged to any people prior, and the constitution was [amended in 1967](#) to remove any reference to aboriginals (indigenous groups in Australia), leaving them legally unrecognized. In contrast, the concept of [native title](#) acknowledges an indigenous claim on land that supersedes legal deeds. After [years of battles in court](#), in elections, and to sway public opinion, [a movement began in 2017](#) to amend the Australian constitution and formally recognize aboriginal rights, culminating in a [2023 national referendum](#) which failed to get a majority support.

Key issues

- **Land and Resource rights**, the right of Indigenous Peoples to their lands, territories, and resources.
 - [Free, Prior, and Informed Consent \(FPIC\)](#): The principle that Indigenous communities must be consulted and give their consent before any project, policy, or activity that affects their lands or resources can proceed.
 - Recognition of native land rights, often decades later, include acknowledgement of [preexisting indigenous rights on the land](#), beyond rights granted by a federal or national government, or via land purchase.
- **Implementation of [UNDRIP](#)**
 - The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is the central framework for the Forum's work. [A key issue](#) is the slow and

inconsistent implementation of the UNDRIP by UN Member States and the UN system.

- **Criminal Law**

- Criminal Law jurisdiction is a particularly contentious aspect of the sovereignty tensions. In the United States for example, native police can arrest and enforce tribal law on its own lands—but only against tribal citizens. Against non-native Americans, tribal courts often [lack jurisdiction](#), leaving them [powerless to stop drug traffickers and other criminals](#). A [2022 US Supreme Court ruling](#) determined that the federal government has [concurrent jurisdiction](#), further complicating the situation, and preventing justice for native victims.
- Native American tribes have been forced to file cases in federal courts when their [own jurisdiction was denied](#) in cases to protect their own citizens.

- **Human Rights and Self-Determination**

- **[Self-determination](#):** The right of Indigenous Peoples to govern themselves and manage their own affairs. This involves discussions on Indigenous governance systems, institutions, and their participation in decision-making at the national and international levels.
- **[Addressing Discrimination](#):** Issues of discrimination, marginalization, and violence against Indigenous Peoples, particularly Indigenous women and youth, are regularly on the agenda.
- Can indigenous sovereignty be used to justify [human rights abuses, or lower standards of right to citizens](#)?

- **Environment and Climate Change**

- **[Climate Action](#):** Ensuring that Indigenous Peoples are active participants and decision-makers in global climate policy and that climate solutions respect their rights and territories.
- **Natural resources:** What is to be done when natural resources are discovered on indigenous lands? Who is entitled to make those decisions?

- **Culture and Identity**

- **[Cultural Heritage](#):** Addressing the appropriation of Indigenous cultural heritage and intellectual property
- **[Blood quantum](#):** A contentious aspect of Indigenous sovereignty is the self-determination as to who qualifies as a member of a tribe or people, and at what point that identity is diluted to an extent that the member loses their rights or legal influence.
- **Reconciliation:** Even when historic pasts can not be undone, what steps can help provide symbolic reconciliation for violations of sovereignty?

Guiding questions:

- Are there Indigenous groups in your country?
- Has your country ever had major conflicts with Indigenous groups?
- Does your constitution or legal system acknowledge any indigenous sovereignty?
- Have there ever been any major human rights violations from your country towards Indigenous people?
- Are there valuable land resources on Indigenous land in your country?
- What are some treaties your country is a part of pertaining to Indigenous people?
- Has your country displaced Indigenous people?
- Are Indigenous people represented in your country's government?
- When should indigenous sovereignty be recognized or expanded, and when should it be limited?

Blocs:

- **Pro Indigenous Rights:** includes countries that have strong legal protections for Indigenous peoples or are supportive in international forums. Tends to emphasize UNDRIP implementation, FPIC, and Indigenous participation in government
 - Bolivia, Mexico, Ecuador: constitutional recognition of Indigenous autonomy
 - Nordic countries: Sami representation
 - New Zealand: Treaty of Waitangi, recognition of Maori rights
 - Canada: advocates internationally for Indigenous rights, through faces domestic disputes
- **Resource-Driven Development:** includes countries where economic priorities often clash with indigenous claims to land and resources. These states often argue that national sovereignty and development goals take precedence over Indigenous self-determination
 - Brazil, Peru, Columbia: Amazon mining and deforestation
 - US: pipelines and energy projects
 - Australia: mining on Aboriginal lands
 - Russia: oil and gas on Indigenous lands in Siberia
- **Non-Aligned / Middle Ground:** includes countries with Indigenous populations but mixed policies, sometimes supporting rights and sometimes prioritizing state control. These states often push for compromising solutions in international negotiations
 - India, Nepal, Philippines: Indigenous groups recognized but face displacement
 - Chile and Argentina: Mapuche conflicts alongside reforms

Learn more:

- [More case studies](#)
- [Aboriginal rights](#)
- [Tribal sovereignty](#)

- [War on Drugs](#)
- [US-Australia comparison](#)
- [Digital indigenous rights](#)
- [New Zealand indigenous](#)
- [Indigenous rights in Mexico](#)
- [Australia factsheet](#)

UN Resolutions and official reports:

- International Labour Organization (ILO): [Convention No. 169](#) (1989) on Indigenous and Tribal People