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Linguistic Human Rights, the UN's Human Rights system, and the Universal Esperanto Association's work on Language Rights¹

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1. Linguistic Human Rights

1.1. What are Linguistic Human Rights?

Linguistic rights or *language rights* (LRs) - terms often used as synonyms - are all rights related to the learning and use of languages. Some researchers regard linguistic rights as a somewhat broader concept than language rights. In this case they are often discussing rights not only to various languages but also to varieties *within* the “language” label, e.g. regional, gender-based or class-based varieties. LRs have been discussed for centuries, and the first multilateral treaties about LRs are from the 1880s.

Our present human rights (HRs) are from the period after the second world war but there were many HRs treaties already under the League of Nations after the first world war. Language endangerment, maintenance and revitalization and general protection of both users of various languages and the languages themselves are central topics, with both Indigenous peoples and various minorities (urban, rural, national, immigrant, refugee, asylum seekers, etc).

Only those language-related rights are linguistic *human* rights (LHRs) that are so basic that every human being is entitled to them because of being human. They are as necessary to satisfy people's basic needs as food and shelter, necessary to live a dignified life. They are so

fundamental that no state (or individual or group) is supposed to violate them. LHRs combine some LR with human rights.

The scope of LHRs is still discussed. There are many LR, which are not LHRs. It would, for instance, be nice if everybody could, even in civil court cases, have a judge and witnesses who speak (or sign) this person's language, regardless of how few users the language has. Today, it is in criminal cases only that one has any LHRs. In all other court contexts, people may or may not have a *language* right.

1.2. Some distinctions about Linguistic Human Rights

Negative and positive rights. Some basic rights prohibit discrimination on the basis of language (negative rights); others go beyond this (affirmative, positive rights). Most LHRs are negative rights.

Negative rights have been defined by Max van der Stoep (1999, p. 8) as “the right to non-discrimination in the enjoyment of human rights [... They] ensure that minorities receive all of the other protections without regard to their ethnic, national, or religious status; they thus enjoy a number of linguistic rights that all persons in the state enjoy, such as freedom of expression and the right in criminal proceedings to be informed of the charge against them in a language they understand (i.e. not necessarily the mother tongue), if necessary through an interpreter provided free of charge”.

Positive rights have to do with “the right to the maintenance and development of identity through the freedom to practise or use those special and unique aspects of their minority life – typically culture, religion, and language”. Positive rights are those encompassing affirmative obligations beyond non-discrimination [...] include a number of rights pertinent to minorities simply by virtue of their minority status, such as the right to use their language. This pillar is necessary because a pure non-discrimination norm could have the effect of forcing people belonging to minorities to adhere to a majority language, effectively denying them their rights to identity (ibid., 8-9).

Minorities, including the Deaf, are supposed to have positive language rights, not only the negative right of protection against discrimination. Negative rights (instrumental rights) are not sufficient for an Indigenous people or a minority to reproduce themselves as a people or minority and they may lead to forced assimilation. In some interpretations, only positive rights (which can also be called affective rights) are LHRs proper.

Who or what can have LHRs? Individuals, collectivities, and languages. Many HR instruments are concerned with rights of *individuals* (as in the United Nations [Universal Declaration of Human Rights](#)). Some of these are LR, some may be LHRs. LHRs can be individual, as in the [UN Convention on the Rights of the Child \(pdf\)](#) (Art. 30 in) or in the UN [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#). The basic human rights instruments can be found at the website of the Office of the United Nations Human Rights Commissioner, <http://www2.ohchr.org/english/law/>.

An individual from a certain group or with specific characteristics in a specific country may have the right to use her or his mother tongue in various contexts, e.g. in dealing with

authorities, local, regional or state-wide, orally or signing it, in writing, or all of these. However, the authorities do not necessarily need to reply in the same language.

The *mother tongue* is often for legal purposes defined in a strict way, as the first language that a person learned, and still speaks, and with which s/he identifies. In most cases both a degree of competence and/or use of the language is demanded, together with identification; in some (few) cases identification with the language is enough. If those Indigenous peoples whose parents or grandparents have been forcibly assimilated are to have a chance to reclaiming or revitalizing their languages, a definition based on identification only, with no demands of competence or use, is necessary. Educational LHRs, especially the right to mother-tongue-based multilingual education are among the most important LHRs. (see Skutnabb-Kangas 2000, Skutnabb-Kangas et al., eds., 2009, Skutnabb-Kangas and Heugh, eds, 2011).

Individuals may also have rights in relation to *other languages* than their mother tongue/first language. Mostly these rights relate to a dominant, official or national language in the country. Some people demand that access to an internationally used language should also be seen as a language right.

In addition, *collectivities* of people (groups, peoples, organizations, or states) may have rights to the use, development and maintenance of languages, or duties to enable the use, development or maintenance of them. Council of Europe's [Framework Convention on the Protection of National Minorities](#) grants rights to (national) minorities, i.e. groups. Once a state has both signed (promised to start the process which enables it to ratify them) and ratified one of these human rights instruments (changed their laws and regulations and put processes in place that enables them to fulfill the obligations that they have promised to undertake), these are binding for the state. States usually have a duty to report at specified intervals how they have acted to guarantee the rights. There is also normally some kind of a monitoring body that scrutinizes the reports, and gives feedback and guidance to the states. The human rights regime of the League of Nations between the two "World" Wars contained many *collective* rights; in principle most minority rights should be collective rights. In the United Nations regime after 1945, it was claimed that no collective rights were necessary since every person was protected as an individual, by individual rights. Council of Europe's 1950 [Convention for the Protection of Human Rights and Fundamental Freedoms](#) and the corresponding African and American instruments ([The African Charter on Human and Peoples' Rights](#) (1981) and the [American Convention on Human Rights](#) (1969) are, just like the European ones, regional rights. Universal collective rights have re-emerged later and few of these are language-related. Some new universal instruments include language-related rights, though: these include the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UNDRIP, 61/295, 2007, and the [UN Convention on the Rights of Persons with Disabilities](#) (2007: this is especially important for the Deaf). But a "Declaration" is not legally binding on states.

Many international organizations and most states have a language policy which spells out the official languages of the organization or state and, by implication, the LRs of the people, groups, and states dealing with, and working within, that entity. The United Nations have six official languages, the Council of Europe only two. The European Union has several times increased the number of its official languages, such that after its latest expansion the Union now has 24 official languages; all official documents have to be made available in all of these. A number of states have only one official (or state) language; most have two or more.

In addition, many states specify one or several national, additional, link, or national heritage languages in their constitutions; in most cases, speakers of these have fewer rights than speakers of the official languages have (see de Varennes 1996). Most states have spelled out some kind of minority protection for linguistic minorities, with either only negative or also positive rights. Some countries which do have linguistic minorities deny this fact (e.g. Turkey); therefore the definition of a minority is important. There is no legal definition in international law of what a minority is, even if the issue has been discussed extensively (e.g. Andrysek 1989, Capotorti 1979). Most definitions are fairly similar, though, and resemble the definition below (from Skutnabb-Kangas and Phillipson 1994: 107, Note 2):

A group which is smaller in number than the rest of the population of a State, whose members have ethnic, religious or linguistic features different from those of the rest of the population, and are guided, if only implicitly, by the will to safeguard their culture, traditions, religion or language.

Any group coming within the terms of this definition shall be treated as an ethnic, religious or linguistic minority.

To belong to a minority shall be a matter of individual choice.

If a group claims that they are a national minority and an individual claims that she belongs to this national minority, the State may claim that such a national linguistic minority does not exist. Then there is a conflict. The State may refuse to grant the minority person and/or group rights, which it has accorded or might accord to national minorities. In many definitions of minority, minority rights thus become conditional on the acceptance by the State of the existence of a minority in the first place. Minority status, the existence of an ethnic, religious or linguistic minority in a given State party does NOT depend on the acceptance of the State but requires to be established by objective criteria ([UN Human Rights Committee](#), 1994).

Numbers also matter. A group has to have a certain size in order to have language-related rights. It often depends on how many individuals there are in the unit under consideration (country, area, region, municipality, etc.) whether individuals (speakers or signers) belonging to that group have any LRs, let alone LHRs. Two of the most important European LRs documents use group size as a criterion, but do not in any way define it. The [European Charter on Regional or Minority Languages](#), and the [Framework Convention](#) (see above) use formulations such as “*in substantial numbers*” or “*pupils who so wish in a number considered sufficient*” or “*if the number of users of a regional or minority language justifies it*”. It is obviously necessary to limit the size, to adjust to various contexts, also for economic reasons, but it is also possible for reluctant states to use lack of what states claim are “sufficient” numbers as a legitimation for lack of political will.

Finally, *languages* themselves (rather than speakers/signers) may have rights to be used, developed and maintained. Council of Europe’s [European Charter on Regional or Minority Languages](#) grants rights to languages, not speakers of the languages concerned. “Dialects” and Sign languages are, though, explicitly excluded from it.

Personal or territorial rights. LHRs can be personal (a person has them, regardless of where in a country s/he lives), or territorial (as in Switzerland: people have language-related rights only in the cantons where a certain language - German, French, Italian or Romansch - has been designated as official, but not in other cantons) or a combination of these (as in Finland).

To conclude, for many of these distinctions, one can ask: Is it a question of either/or? NO! All of these rights are necessary, and there is no conflict between the various types of right. 'Either/or' discussions & claims are destructive.

There are different rights for various groups: hierarchies, some have more rights.

1. Linguistic majorities / dominant language speakers, vs minority/dominated language speakers:
 - National (autochthonous) minorities
 - Indigenous peoples
 - Immigrant minorities
 - Refugee minorities
2. Speakers of oral languages vs users of Sign languages.

Are these hierarchies acceptable? NO. LHRs should not be hierarchized; regardless of which group/s people belong to, they should have full LHRs.

1.3. What happens to language/s in educational human rights instruments?

Language is one of the most important ones of those human characteristics on the basis of which people are not allowed to be discriminated against. Others are gender, "race" and religion.

Still, language often disappears in the educational paragraphs of binding human rights instruments, e.g. in the Universal Declaration of Human Rights (1948); the paragraph on education (26) does not refer to language at all. The International Covenant on Economic, Social and Cultural Rights (1966) mentions language on a par with race, colour, sex, religion, etc. in its general Article (2.2). Its education Article (13.1) explicitly refers to 'racial, ethnic or religious groups' but *omits here reference to language or linguistic groups*.

Some rights exist. However opt-outs and alternatives in education articles permit a reluctant state to meet the requirements in a minimalist way, which it can legitimate by claiming that a provision was not 'possible' or 'appropriate', or that numbers were not 'sufficient' or did not 'justify' a provision, or that it 'allowed' the minority to organise teaching of their language as a subject, at their own cost. Other modifications used: 'as far as possible', 'relevant', 'appropriate', 'where necessary', 'pupils who so wish in a number considered sufficient', 'if the number of users of a regional or minority language justifies it'.

Educational linguistic human rights, especially the right to mother-tongue-based multilingual education, are among the most important rights for any minority. Without them, a minority whose children attend school usually has to accept subtractive teaching through the medium of a dominant/majority language. It cannot reproduce itself as a minority. It cannot integrate but is forced to assimilate. *Assimilation* is enforced subtractive 'learning' of another (dominant) culture by a (dominated) group. Assimilation means being forcibly transferred to another group. *Integration* is characterized by voluntary mutual additive 'learning' of other cultures. Integration means a choice of inclusive group membership(s).

1.4. What is happening to the world's languages in reality?

What is happening today to the world's languages? Are they being maintained? NO! Languages are today being killed faster than ever before in human history. According to optimistic estimates 50% of today's spoken languages may be extinct or seriously endangered

around 2100. Pessimistic but realistic estimates project that 90-95% may be extinct or seriously endangered in 2100.

The most important PEDAGOGICAL reason for both languages disappearing and for "illiteracy" is the wrong medium of teaching. Indigenous and minority children and children from dominated groups are taught in dominant languages, *subtractively*. They have few LHRs.

Why do languages disappear? In studying causes for the disappearance of languages we find two explanatory paradigms: *language death* and *language murder*. When languages, the vast libraries of human intangible heritage, disappear, is it (natural) death or is it murder?

- *Language death*: Languages just disappear naturally, there is no agent. Languages commit suicide; speakers are leaving them voluntarily for instrumental reasons and for their own good, to profit by language shift. The only ones to blame are the speakers them-selves. It is THEIR individual and collective responsibility.

- *Language murder*: Arson: the libraries are set on fire! Educational systems, mass media, etc participate in committing linguistic and cultural genocide. If languages have been murdered/killed, we can analyse the structural and ideological agents responsible: the world's economic, techno-military, social and political systems. Even when language shift has happened with speakers' "consent", ideological factors behind this "consent" can be analysed.

Language murder - killer languages at work. What is a killer language? When "big" languages are learned subtractively (at the cost of the mother tongues) rather than additively (in addition to mother tongues), they become *killer languages*. But, "being" a killer language is NOT a characteristic of a language. It is a question of how a language functions in relation to other languages. ANY language can become a killer language in relation to some other language. Besides, "languages" do not kill each other. It is the power relations between the speakers of the languages that are the decisive factors behind the unequal relations between the languages which then cause people from dominated groups to learn other languages subtractively, at the cost of their own. Killer languages pose serious threats towards the linguistic diversity of the world. Languages do NOT just disappear naturally, they do NOT "commit suicide". In most cases, speakers do NOT leave them voluntarily, for instrumental reasons, and for their own good. Languages are "murdered". Most disappearing languages are victims of linguistic genocide.

English is today the world's most important killer language, but most dominant languages function as killer languages vis-à-vis smaller or less powerful languages. There is a nested hierarchy of languages, and glottophagy ("language cannibalism").

The maintenance of diversity is counteracted by the increasing dominance of English (Phillipson 2009) and other killer languages. These are often learned subtractively, at the cost of the mother tongues (Skutnabb-Kangas 2000), instead of additively, in addition to mother tongues. Schools participate, through assimilationist genocidal education, in processes of linguistic capital dispossession (Harvey 2005a,b, Skutnabb-Kangas & Phillipson 2010, and reproduction of poverty (Sen 1985, Misra & Mohanty 2000, Mohanty 2000, Mohanty & Panda 2007). (Skutnabb-Kangas 2008).

Sign languages and killer languages: ALL oral (spoken) languages can, through enforced oralism, function as killer languages, in relation to Sign languages. Official/national oral

languages may be especially important killer languages vis-a-vis Sign languages. The American Sign Language may pose serious threats towards all other Sign languages, if it is learned subtractively. It may be the worst killer language among Sign languages. Cochlear implants and wrong information about what they can accomplish is also killing Sign languages.

Even if both the legal position of LHRs and, especially, their implementation so far seem completely unsatisfactory for maintaining the world's linguistic diversity, there is a massive amount of work being done. In the following we concentrate on work by the *Universal Esperanto Association* (Universala Esperanto-Asocio, UEA) performed within the United Nations' human rights programme. UEA has during the last decades concentrated heavily on language rights work. We begin with a very short summary of both the UN's main body for human rights, The Office of the United Nations High Commissioner for Human Rights (OHCHR), and of the Universal Esperanto Association. Then we continue with the UEA's work within the UN system of human rights, including the Human Rights Council and UNESCO.

2. The United Nations human rights system and the Universal Esperanto Association

2.1. The United Nations human rights programme and The Office of the United Nations High Commissioner for Human Rights (OHCHR)

Human rights are one of the three essential pillars of the United Nations, along with development, and peace and security. UN's human rights programme works to promote and protect internationally agreed civil, cultural, economic, political and social human rights. The first of these rights were proclaimed in the milestone document from 1948, the Universal Declaration of Human Rights (UDHR). It set out, for the first time, fundamental human rights to be universally protected. Many other instruments have followed.

The Office of the United Nations High Commissioner for Human Rights (OHCHR), the global authority on human rights, is part of the Secretariat of the UN. It is led by the High Commissioner for Human Rights, a position created in 1993. OHCHR collaborates with Governments, national human rights institutions (NHRIs), non-governmental organizations (NGOs) and other civil society actors. The Office is responsible for leading the United Nations human rights programme. It works, among other things, to empower people to realize their rights and to assist those responsible for upholding such rights in ensuring that they are implemented. OHCHR also works to increase human rights education and awareness. Its thematic work identifies and targets gaps in the existing human rights system, leading protection and research, explores new areas of human rights protection and standard-setting across a broad collection of themes and issues

Local, national and international human rights NGOs – among them the Universal Esperanto Association - are a vital part of the international human rights movement and an essential partner for OHCHR. They alert the world to human rights violations. They defend victims, promote rights through education, and campaign for improvements and advancements OHCHR's headquarters are in Geneva, Switzerland; they also have an office at the UN headquarters in New York. The current High Commissioner (since 2008) is Ms. Navanethem Pillay.

2.2. The Universal Esperanto Association / Universala Esperanto-Asocio, UEA

Founded in Switzerland on the 28th April 1908 by Hector Hodler, UEA is the representative central organization of the Esperanto movement, an international non-governmental organization. It offers, through a global network of delegates, the provision of services for its members, using Esperanto for a wide variety of objectives, thus increasing the use of language for practical purposes. It has taken over in a more realistic form the original idealism of Zamenhof (the founder of Esperanto), defining "Esperantism" as "practical internationalism", with the aim not only to facilitate relations between nations, but also to be at the vanguard of a new and dynamic era towards internationalism.

The main legislative organ of UEA is the Committee consisting mainly of national representatives; a less numerous group represents professional organizations and individual members. The Committee meets once a year, during the annual World Congress. The Executive Board with 7 members meets regularly during the year via Internet and also physically for two sessions a year. The most important policy decisions, made by the Committee are carried out through the UEA headquarters (Central Office) in Rotterdam, <http://www.cdeli.org/CDELI-periodajhoj-kolekto-J.html>. UEA had its Central Office in 1938 in Palais Wilson, Geneva, Switzerland, where the OHCHR is based today. To facilitate its work at UN, UEA also has an office in New York, USA.

UEA has members in 119 countries (www.uea.org December 2013). There are also various specialist and professional international organizations which have a considerable membership worldwide, having their own conferences, using Esperanto as the working language.

UEA is an important publisher; it has the largest mail-order Esperanto bookstore in the world. It has an information center, a good library, and a large international network of activists. Coordinates the work and activities of Esperanto associations, sponsors meetings. Its Centre for Research and Documentation on World Language Problems (CED) carries out studies and research on Esperanto and the world's language problems.

The annual World Esperanto Congress is probably the Congress with the longest tradition among the international conventions, with a continuity of almost hundred years. After the first one was (in France, 1905), UEA has held 98 congresses, in 33 countries (in some more than once) around the Globe. The average number of countries represented has been around 60, and several Congresses have had close to 6.000 participants.

But UEA is much more than just an organization providing services and promoting Esperanto. UEA and the Esperanto movement are advocates for language rights, multilingualism and for the use of a neutral international language in communication among people of different mother tongues. The Esperanto movement strives toward an ideal of mutual respect, understanding and cooperation among people, stimulates discussion of the world language problem and calls attention to the necessity of equality among languages, of linguistic justice. The UEA has been supporting linguistic minorities for more than 100 years and is today their voice in meetings of international organizations and everywhere where the mutual respect and equitable communication are not realized.

The concept of peace between states and solidarity among men is associated with Esperanto from birth. UEA was present among the first international organizations that declared their adherence to the purposes of the United Nations. Already in the middle of 1947, about a year and a half before the adoption of the Universal Declaration of Human Rights (10 December

1948), the Association had added to its constitution a paragraph that respect for human rights was essential for its activity.

The statute of Universal Esperanto Association lists the following four goals:

1. to promote the use of the international language Esperanto;
2. to act for the solution of the language problem in international relations and to facilitate international communication;
3. to encourage all types of spiritual and material relations among people, irrespective of differences of nationality, race, sex, religion, politics, or language;
4. to nurture among its members a strong sense of solidarity, and to develop in them understanding and respect for other peoples.

Some of the UEA’s work in trying to realise these lofty goals within the UN system is described next.

2.3. The Universal Esperanto Association and the UN Human Rights Council

The United Nation’s **Human Rights Council (HRC)**, a subsidiary organ of the UN **General Assembly (GA)**. established by GA resolution 60/251 in 2006, is the principal United Nations intergovernmental body responsible for human rights.. OHCHR functions as its secretariat. The HRC, an intergovernmental body of 47 member States, meets for at least 10 weeks a year spread over no fewer than three sessions, and can also hold special sessions. Its role includes addressing violations of human rights, including gross and systematic violations, and the promotion of effective coordination and the mainstreaming of human rights within the United Nations system.

In resolution 60/251 the General Assembly acknowledged the important role played by non-governmental organizations (NGOs) and other civil society in the promotion and protection of human rights. **Consultative status** with Economic and Social Council (ECOSOC) is required for NGOs to be accredited as observers to the Human Rights Council’s sessions, and UEA has this status. Public meetings of the HRC and some of its mechanisms can be viewed live on its **webcast**, and a broad range of documentation and information is available on the Council’s **webpage** and **Extranet**, posted on the homepage two weeks before each regular session. Table 1 lists the HRC’s mandates and mechanisms.

Table 1. UN Human Rights Council’s mandates and mechanisms

HUMAN RIGHTS COUNCIL								
1)	2)	3)	4)	5)	6)	7)	8)	9)
Universal periodic review	Human Rights Council Advisory Committee	Complaint Procedure	Special procedures	Working Groups	Social Forum	Forum on Minority Issues	Expert Mechanism on the Rights of Indigenous Peoples	Mechanisms related to the
<i>Working Group on the UPR</i>		<i>Working Group on Communications, Working Group on Situations</i>	<i>Country mandates, Thematic mandates</i>	<i>Open-ended Working Group on the Right to Development</i>				<i>Durban Declaration and Programme of Action</i>

1) The universal periodic review (UPR) is one of the human rights mechanism. The Council periodically reviews the fulfilment by each of the United Nations 192 Member States of its human rights obligations and commitments.

2) The Advisory Committee, a subsidiary body of the Human Rights Council, functions as a think tank for the Council, focusing mainly on studies and research-based advice in a manner and form requested by the Council.

3) The complaint procedure addresses consistent patterns of gross and reliably attested violations of all human rights and fundamental freedoms occurring in any part of the world and under any circumstances, based on communications received from individuals, groups or organizations that claim to be victims of human rights violations or that have direct, reliable knowledge of such violations.

4) “Special procedures” are mechanisms assumed by the Council to monitor, advise and publicly report on human rights situations in specific countries or territories (**country mandates**), or on major phenomena of human rights violations worldwide (**thematic mandates**). Mandate-holders (special rapporteurs, special representatives, representatives, independent experts and members of working group) serve in their personal capacity. Katarina Tomasevski, in her capacity as the Special Rapporteur on the Right to Education, was especially observant on minority and language rights (see see www.tomasevski.net/).

5) Working groups of the Human Rights Council:

The groups monitor and review progress made in the promotion and implementation of the right to development and present recommendations.

6) Social Forum

The **Social Forum**, meeting each year for three days, represents a dialogue between the UN HRs machinery and various stakeholders. Lately it has focused on issues relating to the eradication of poverty in the context of human rights and globalization.

7) The Forum on Minority Issues provides thematic contributions and expertise to the work of the **independent expert on minority issues** and identifies and analyses best practices, challenges, opportunities and initiatives for the further implementation of the **Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities**.

8) Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)

The Expert Mechanism, consisting of five independent experts, provides the HRC with thematic expertise on the rights of indigenous peoples in a manner and form requested by the HRC, with studies and research-based advice. It may suggest proposals to the Council for consideration and approval. **The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people** and a member of the **Permanent Forum on Indigenous Issues** also attend and contribute to the Expert Mechanism’s annual meetings.

9) Mechanisms related to the Durban Declaration and Programme of Action

The **Durban Declaration and Programme of Action**, from the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance provides annual updates and reports on this issue. In 2001, was held in Durban, South Africa.

UEA, as an NGO with official consultative status with ECOSOC (the Economic and Social Council) has been present at several UN meetings through its representatives in New York, Vienna and Geneva, and regularly submits to the different UN bodies (such as the HRC x and its mechanisms – see Table 1) written statements or make oral interventions related to language, language rights, and multilingualism.

UEA has been active in the meetings of the following HR mechanisms: Sessions of the Human Rights Council itself, its Social Forum; its Forum on Minority Issues, and its Expert Mechanism on the Rights of Indigenous Peoples (EMRIP). In addition, UEA has participated in other UN-NGO events outside the headquarters, e.g. the Annual UN DPI/NGO Conferences (63rd Melbourne 2010, 64th Bonn 2011), Rio+20 Conference. UEA has also organised its own events at the UN (in Geneva, New York and Vienna). Listing of events with interventions of the UEA links to documents: <http://www.linguistic-rights.org/eventoj/>.

HRC. The UEA has submitted *written statements* to the HRC on subjects for which it has a special competence (linguistic rights), individually or jointly with other NGOs. Once received and processed by the Human Rights Council's secretariat, NGO's written statements become part of the official documentation of Human Rights Council's sessions. Here is an example of a UN document including UEA's statement [HRC, 25 August 2008]:

http://ap.ohchr.org/documents/alldocs.aspx?doc_id=14482 -

<http://goo.gl/LLRSMF>

see also: "The position of the [Universal Esperanto Association](http://www.universal-esperanto.org/) on linguistic rights" -

<http://www.linguistic-rights.org/en/>

UEA can also make *oral interventions* during all substantive items, both in general debates and in interactive dialogues at Human Rights Council sessions. In addition, printed copies of its delivered oral statements are placed on tables of the plenary room, in different languages, as well as UEA's documentation on NGO tables outside the plenary room.

Social Forum. UEA participated in the first session of the Social Forum in 2008 which discussed the theme poverty. A video of UEA's intervention at the HRC-session following the Forum, *L'espéranto au Conseil des Droits de l'Homme, ONU, Genève* is at

<http://www.youtube.com/watch?v=eR7vD9kChBA>. (see also documents:

<http://www.linguistic-rights.org/eventoj/>

English (interpreted): <http://goo.gl/kyahgH>)

Forum on Minority Issues. The Minority Forum, together with EMRIP (below), belong to the most central mechanisms for UEA. Since the 1st session of the Forum (2008), UEA has been present at this event, making oral interventions. Here is the first of them:

<http://goo.gl/TaKmmv>. At this meeting also Indigenous peoples' representatives participated.

UEA also conducted its first interview at the UN: *An interview with Walking Wolf (Chief Wilton Littlechild, Cree Nation, Canada)* -

<http://www.youtube.com/watch?v=IOYvwNn9wGM>

At the Fifth Session of the Forum on Minority Issues, on 28th November 2012, the UEA representative held UEA's oral intervention in Esperanto; Esperanto was heard for the first time in UN's history: <http://goo.gl/ADgTuE>

Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)

Already before the EMRIP was founded, UEA worked with Indigenous peoples' linguistic HRs. The *Project Indigenous Peoples* (PIP) had realised that "[...] Esperanto would be a perfect lingua franca for countries and groups with many languages; [...] For international cooperation, for Indigenous peoples, for many multilingual countries, Esperanto would be a good solution." - <http://goo.gl/OFHNuD>. Accordingly, some years ago, Esperanto speakers in cooperation with Indigenous persons created a project to support Indigenous peoples from around the world: *Projekto Indiĝenaj Popoloj*. In addition to more general goals (support for

Indigenous cultures and languages, for the realization of human rights, and for safeguarding biocultural diversity) a main goal was to provide Indigenous people with Esperanto that can serve as a “bridge language”, linking different groups of Indigenous peoples around the World who do not have the same mother tongue or the same second, dominant language. Esperanto as a neutral inter-ethnic communication tool was never intended to replace national, minority or Indigenous languages, as dominant groups’ languages do today. Also the participants/beneficiaries were made computer literate: they got access to the Internet as a tool for global action for Linguistic Human Rights. Through Internet and Esperanto they could be in contact, learn from each other about issues and solutions that are common to many indigenous peoples in various countries, and become more aware of their (lack of) language (and other) rights. They were also provided with their own computers.

This experience with the Esperanto community is an example for the kind of best practices that EMRIP seeks. One of the former participants of UEA’s PIP programme, José Carlos Morales (Brunka Tribe, Costa Rica), was an Expert member of EMRIP on Indigenous People’s Rights, 2008-2013. The statement by the UEA at the 5th session of EMRIP, Palais des Nations can be found at <http://goo.gl/RmYLC9>

2.4. Other UEA international activities around language rights

UEA is one of the actors of civil society in many fora. As described above, it is a partner of the OHCHR in implementation of the human rights program of the United Nations. In its external relations UEA has got some partners and sympathisers in the circle of NGOs active in similar fields, as result of its work on Language Rights at the UN and other levels.

UEA supports biocultural diversity for sustainable development. Linguistic and cultural diversity are connected to biodiversity, they are inseparable and interdependent. UEA is alarmed at the increasing loss of linguistic diversity, which leads to the loss of traditional knowledge, essential for maintaining biodiversity. The knowledge of how to manage biodiversity and cultural diversity is embedded in the languages of small Indigenous and local people (see Skutnabb-Kangas et al. 2003). UEA promotes Intercultural Dialogue by multilingualism and by means of a neutral international language.

Since much of the knowledge about how to maintain the world's biodiversity is encoded in the small Indigenous and local languages, with the disappearance of the languages this knowledge (which is often more accurate and sophisticated than "western" "scientific" knowledge, see ICSU 2002) will also disappear; this means destroying the prerequisites for human life on earth. Is this what we want? (Skutnabb-Kangas 2008).

UEA was represented at the 63rd Annual UN DPI/NGO Conference in Melbourne (2010) and sent a written statement to the conference. UEA sent a five-person team to the 64th Annual UN DPI/NGO Conference in Bonn (2011), preparing the *Rio+20 - United Nations Conference on Sustainable Development*. As a result of the work of this team, the final declaration of the Conference was amended to acknowledge the role language plays in sustainable societies and to include several modifications submitted by the UEA delegation (see <http://goo.gl/bmpuyP> - <http://goo.gl/3kQqzm>. For more documents, video,s etc, see <http://www.linguistic-rights.org/eventoj/>. For the Final Declaration, see <http://goo.gl/JQDhvv>. Following this 64th Annual UN DPI/NGO Conference in Bonn 2011, UEA-representatives continued in Brazil during the conference of UN on Sustainable Development, under the slogan: “Sustainable Communication and Linguistic Rights” (see <http://www.linguistic-rights.org/rio/>).

To mobilize speakers of Esperanto behind the aims and ideals of the United Nations, supporters of the UN among Esperanto speakers recently launched an organization “*Esperanto for the United Nations*” (*EUN*). Its goal is to bring news of the UN’s work to the attention of the Esperanto-speaking community, to organize activities promoting the UN, and to stress the importance of the linguistic dimension of international affairs.

“*A UNA for a Language Community*” Launched by the Esperanto Movement
<http://goo.gl/KCyVZA>

UEA also contributes to *UNESCO's* programmes in its cultural aims of creating dialogue among peoples. It takes part in collective consultations. Important work done by the UEA is disseminating UNESCO’s messages and furthering its ideals within and outside the Esperanto movement.

The General Conference (GC) of UNESCO has adopted two Resolutions in support of Esperanto. Firstly in 1954, in which the GC recognizes that the results attained by the Esperanto movement in the field of international intellectual relations and the rapprochement of the peoples of the world correspond with the aims and ideals of UNESCO. In the second Resolution, in 1985, the GC “[I]nvites the Member States to [...] promote the introduction of a study programme on the language problem and Esperanto in their schools and higher educational institutions.” In 1959, on the 100th anniversary of the birth of Esperanto's founder, L.L. Zamenhof, UNESCO published his biography and recognized him as an important historical figure. In 1987, UNESCO issued an address on the centenary of Esperanto's publication. In most years, UNESCO has sent a statement to the Esperanto community on the occasion of the World Esperanto Congress. In 2011, Irina Bokova, Director General of UNESCO provided a message of salutation emphasizing that, while discussing the Congress’s main theme: “Dialogue and mutual understanding” (the theme also of the UN International Year of Youth), “you are contributing to promoting the ideals of peace, freedom, progress and solidarity that are essential for empowering youth and achieving the Millennium Development Goals”. (see Message from Ms Irina BOKOVA, Director-General of UNESCO, *United Nations Educational, Scientific and Cultural Organization* on the occasion of the 96th World Esperanto Congress Copenhagen, 23 July 2011 - <http://www.linguistic-rights.org/unesco/> .; see also *The Universal Esperanto Association - in official relations with UNESCO* <http://goo.gl/sKblbU>). UEA has representatives at the Headquarters of UNESCO in Paris.

UEA also has consultative status with *UNICEF* and an official relationship with the *Council of Europe*.

Among several side events of UN’s Human Rights body meetings, UEA also contributes to actions and advocacy for Peace, e.g.. at the *Expert Meeting on the Codification of the Human Right to Peace*, and also in partnership for joint written statements (see <http://goo.gl/uP4G3A>).

UEA organizes its own *symposia*, *seminars* and other events on language related matters, in New York, etc. (see <http://goo.gl/25Iwzo>). One example is the Symposium on “*Linguistic Rights in the World, the current situation*” at the UN in Geneva, in 2008, on the occasion of 100 years of existence of UEA and the 60th anniversary of the UDHR: <http://www.linguistic-rights.org/en/linguistic-rights-en.html>.

3. Esperanto today – legitimation, goals and impact

Esperanto is an accessible language, fast and easy to learn, but it also allows creative and nuanced expression. It has attracted users and supporters from many countries. There are over thousand families where the children grow up with Esperanto as ONE of the mother tongues. Esperanto has **probably around a million speakers around the world**, and many people read it. The international language, Esperanto, was created to bring equality to the speakers of large and small languages. *Esperanto enables fair and transparent cross-cultural communication and safeguards minority language rights.* (from Intervention at the Human Rights Council, UN, Geneva, 30th of September 2009 Item 8.) The final goal of the speakers of Esperanto is to promote peace between peoples and mankind by the facilitation of easy and equitable communication.

To achieve its goals, UEA collaborates with other NGOs working on similar themes. According to its agenda *Universala Esperanto-Asocio* strives to achieve the goal that the social value of Esperanto and UEA be widely recognized, so that many people, even those who do not themselves use Esperanto, but morally (or financially) support it, or collaborate with Esperanto organizations for common goals, enter into an alliance with the Esperanto movement and work together on specific, carefully selected public campaigns, in a Global circle of Friends of Esperanto. The public should not see Esperanto as an idealistic utopia, nor as a historical but irrelevant language, but as an active social movement of the present day. The Esperanto speakers worldwide are open to cooperate with other activists from the civil society for the benefit of mankind.

A growing number of linguists, language policy experts and other specialists of the international, inter-ethnic, cross-cultural communication have expressed their positive opinion about this language and its benefits during the 125 years of existence and increasing use of Esperanto worldwide. Here are some recent opinions about Esperanto:

[...] Today, when we mark 125 years of Esperanto, I would like to congratulate the Universal Esperanto Association, *Universala Esperanto-Asocio* (UEA) on its achievements and recognize its efforts to work towards the understanding of peoples, communication democracy, and maintenance of cultural and linguistic diversity. It is for this important work that Members of the Swiss Parliament recommended UEA for the Noble Peace Prize in 2008. (from Welcoming words to the UEA publication of "125 years of Esperanto" by **Rita IZSÁK, UN Independent Expert on minority issues.** <http://goo.gl/QaJwa3>).

There may be no alarm bells, but there is a crisis: there is nothing natural to the disappearance within a century of more than half of the world's languages spoken today, nor is it normal that a relative privileged few can dominate through language much of the "others" in the rest of the world. [...] 125 years after its creation, the need for a language such as Esperanto is more pressing in the 21st Century than it was in the 19th: large segments of humanity must not be excluded by the adoption of a small number of exclusive languages which, contrary to widespread myths are neither neutral nor bring together without favouritism all of the world's nations.

Dr. Fernand de Varennes - <http://goo.gl/Gu1aYc>

[...] as opposed to any big dominant languages, Esperanto has (and can have) no imperialist tendencies. It is genuinely not connected to anybody's economic or political interests. I see Esperanto as a possible viable alternative to today's languages for international communication. "Ignorance and prejudices may prevent useful solutions."

Dr. Tove Skutnabb-Kangas - <http://www.tove-skutnabb-kangas.org/>

Esperanto is a reality in the crisis-ridden modern world in which the need for more social justice is equally acute. Strengthening the rights of speakers of all languages is a cause that Esperanto contributes to substantially. Decision-makers ought to take it more seriously.

Dr. Robert Phillipson - <http://goo.gl/DRqMK5>

If asked whether it is true that Esperanto can be learnt in less time than any other language, I can only confirm that it can. [...] I don't regret having devoted a few hours per month (over a coffee with my Esperanto teacher during the lunch break, for example), On the contrary, I am proud to have been able to have conversations with people from other countries who speak neither German nor English or French. I am also among those who hope that Esperanto will become a real second language throughout the world.

Gerhard Walter, Mayor, Stadt Herzberg am Harz, la Esperanto-urbo - <http://goo.gl/Ujbeby>

"It is time that the various nations understand that a neutral language could become a real bulwark for their cultures against the monopolistic influences of only one or two languages, as it now appears increasingly evident. I sincerely hope Esperanto will rapidly be making more progress to assist all of the world's nations."

Vigdís FINNBOGADÓTTIR, former President of the Republic of Iceland (1980-1996). <http://goo.gl/mWvH8i>

4. To conclude: Why Linguistic Human Rights?

UEA has been supporting linguistic minorities for more than 100 years. It is committed to the defense of linguistic rights.² As this article shows, these rights are grossly violated today. And many people think that the world might be a better place if most of the small languages disappeared – why do we need them, and, for their maintenance, LHRs.

One reason for Linguistic Human Rights in education and maintenance of all the world's languages is to counteract linguistic genocide in education.

The most important Linguistic Human Right (LHR) in education for Indigenous peoples and minorities, if they want to reproduce themselves as peoples/minorities, is an unconditional right to mainly mother tongue medium education in non-fee state schools (Skutnabb-Kangas 2008).

Most indigenous and minority education in the world participates in committing linguistic and cultural genocide, according to the genocide definitions 2b and 2e in the UN Genocide Convention (see Skutnabb-Kangas & Dunbar 2010 on this). We do not have any Universal Covenant of Linguistic Human Rights. One of us has for decades advocated that such a covenant

should guarantee at an individual level³,

a) in relation to the mother tongue(s)

that everybody has the right to

- identify with their mother tongue(s) and have this identification accepted and respected by others;

- learn the mother tongue(s) fully, orally (when physiologically possible) and in writing. This presupposes that minorities are educated mainly through the medium of their mother tongue(s), and within the state-financed educational system;

- use the mother tongue in most official situations (including schools).

b) *in relation to other languages*

that everybody whose mother tongue is not an official language in the country where s/he is resident, has the right to become bilingual (or trilingual, if s/he has 2 mother tongues) in the mother tongue(s) and (one of) the official language(s) (according to her own choice).

c) *in relation to the relationship between languages*

that any change of mother tongue is voluntary (includes knowledge of long-term consequences), not imposed

d) *in relation to profit from education*

- that everybody has the right to profit from education, regardless of what her mother tongue is.

Linguistic (and cultural) rights in education are, as human rights, necessities for survival. They are necessary, but not sufficient – other rights are needed. Ultimately, we are talking about unequal power relations in an unjust world. But we also need positive arguments about why the world's linguistic diversity should be maintained. There are many more reasons why we should have linguistic human rights, in addition to preventing genocide. One that one should be especially interested in has to do with the relationship between biodiversity and linguistic and cultural diversity. See Terralingua booklet written by Skutnabb-Kangas, Maffi & Harmon for UNESCO (download from <http://www.terralingua.org/RecPublications.htm>).

But in general, Linguistic Human Rights might be one way of

- promoting integration and defending people against forced assimilation;

- promoting positive state policies towards minority languages;

- preventing linguistic genocide;

- promoting the maintenance of the world's linguistic diversity, and, through this, also biodiversity;

- promoting conflict prevention;

- promoting the struggle to eradicate poverty, through capability development; and

- promoting self-determination.

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¹ This article draws heavily on Skutnabb-Kangas' earlier articles, and on the UN Handbook, OHCHR 2008.

² UEA offers to linguistic minority groups the possibility of denouncing violations of linguistic rights by means of an Internet site specific to this subject and to the interventions of its representatives during the sessions of the

Human Rights Council or its mechanisms. UEA is today the voice of linguistic minorities. Those, whose linguistic rights are being actively suppressed or in any case not respected, can contact UEA at <http://www.linguistic-rights.org/en/interventions-en.html>

³ In addition to the individual level, there must of course be collective rights for nations, groups, peoples, to reproduce themselves as nations, groups, peoples.