



علم محیطی

علوم محیطی سال دهم، شماره اول، پاییز ۱۳۹۱
ENVIRONMENTAL SCIENCES Vol.10, No.1, Autumn 2013

131-144

Safeguarding Endangered and Indigenous Languages – How Human Rights Can Contribute to Preserving Biodiversity

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تاریخ پذیرش: ۹۱/۶/۲۹

تاریخ دریافت: ۹۰/۹/۲۸

Abstract

There exists an intimate and mutually-reinforcing relationship between linguistic and biological diversity. In order to safeguard biological diversity, then, it is vital also that we find ways to protect linguistic diversity under international law – as a common heritage – while also seeking national language policies that encourage it. There are approximately 6,800 different languages worldwide, of which the large majority are indigenous. Many of these are endangered and 6,500 of these languages are spoken by only 10% of the world's population, placing many of them in a situation of extreme endangerment: as many as 90% will become extinct by the next century. Biological diversity faces a similarly dramatic decline and so it is a matter of extreme urgency to respond to various factors – including language loss – that contribute to this. This article aims to present the relationship of linguistic and biological diversity – with an emphasis on local and indigenous languages – in a way that can provide the basis for law- and policy-making. In so doing, it will also provide an analysis of the existing international law national policy frameworks relevant to the effective safeguarding of linguistic diversity and, in particular, with a view to fostering the contribution of the world's languages to preserving biodiversity.

Keywords: Linguistic diversity, Biological diversity, Human rights, Indigenous and local languages, traditional ecological knowledge.

حفاظت از زبان‌های بومی در خطر – چگونه حقوق بشر می‌تواند در نگهداری از تنوع بیولوژیکی مشارکت نماید ژانت الیزابت بلیک*

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چکیده

یک رابطه نزدیک و متقابل قدرتمندی بین تنوع زبانی و بیولوژیکی وجود دارد. به منظور حفاظت از تنوع زیستی، این همچنین حیاتی است تا ما راهکارهایی را برای حمایت از تنوع زبانی در قوانین بین‌المللی به‌عنوان میراث مشترک پیدا نماییم. همچنین باید در جستجوی یافتن سیاست‌های زبانی ملی باشیم که آن‌را تشویق و ترغیب نماید. در حدود ۶۸۰۰ زبان مختلف در سراسر جهان وجود دارد که اکثر آن‌ها زبان‌های بومی می‌باشند. بسیاری از این زبان‌ها در خطر انقراض‌اند و از ۶۵۰۰ زبان، فقط ۱۰ درصد از جمعیت جهان با آن صحبت می‌کنند و بسیاری از آن‌ها در شرایط وخیم انقراض قرار گرفته‌اند: بیش از ۹۰ درصد آن‌ها تا قرن آینده منقرض خواهند شد. تنوع زیستی هم مشابه آن با کاهش چشمگیری روبروست، بنابراین این مسئله‌ی مهمی است تا بتوانیم با سرعت زیادی قادر به پاسخ‌گویی به عوامل مختلف آن از جمله انقراض زبان‌ها باشیم. هدف این مقاله ارائه رابطه‌ای بین تنوع زیستی و زبانی با تأکید بر زبان‌های محلی و بومی بوده بطوری که بتواند پایه و اساسی برای قانون و سیاست‌گذاری فراهم نماید. برای انجام این کار تجزیه و تحلیلی از حقوق بین‌المللی موجود و چهارچوب سیاست ملی مربوط به حفاظت مؤثر از تنوع ارائه می‌کند، و بطور خاص، با این دید که زبان‌های جهانی در حفظ و پرورش تنوع زیستی مشارکت زیادی می‌کنند.

کلمات کلیدی: تنوع زبانی، تنوع زیستی، حقوق بشر، زبان‌های محلی و بومی، دانش زیست‌محیطی سنتی.

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Introduction

This article is based on the proposition that there exists an intimate and mutually-reinforcing relationship between linguistic diversity and biological diversity. This connection must be clearly understood and responded to in both international law-making and national policy since the safeguarding of endangered local and indigenous languages can play an essential part in preserving biological diversity. This article, then, aims to set out this relationship in terms that can provide the basis for such law- and policy-making and to analyse the existing international law relevant to safeguarding linguistic diversity and the national policy framework within which this can be effective.

UNESCO's 2001 Declaration on Cultural Diversity (UNESCO, 2001) characterises the preservation of linguistic diversity as a common interest of humankind. Hence, it is not only recognized as a human rights value (the Declaration is a human rights document) but also as enjoying an importance that transcends any national interest. This latter point is significant here since it reminds us of the close relationship of linguistic to biological diversity: each is viewed as a value whose preservation is of common interest to humankind. The Declaration (UNESCO, 2001) explicitly notes the relationship between biological and linguistic diversity in its first Article, stating that "cultural diversity is as necessary for humankind as biological diversity is for nature."¹ Viewing language as primarily a cultural phenomenon, cultural diversity can be interpreted as encompassing linguistic diversity; equally, it is

the languages and associated traditional ecological knowledge (TEK) that they carry in particular that can contribute to preserving biodiversity. Here, then, we see a growing appreciation of the importance of safeguarding endangered and indigenous languages. In the Action Plan appended to the 2001 Declaration, a number of objectives relevant to languages were set out, including:

- Safeguarding the "linguistic heritage of humanity" (at 5).
- Encouraging linguistic diversity – while respecting the mother tongue – at all levels of education (at 6).
- Developing policies and strategies for enhancing and preserving oral and intangible heritage (at 13)
- Developing policies and strategies for respecting and protecting traditional (especially indigenous) knowledge (at 14).

The last two of these objectives are of particular interest to this paper since it is in the oral and intangible heritage of local and indigenous communities that much vital information about and for the preservation of biodiversity is to be found. Moreover, this knowledge is frequently carried through language which serves as a vehicle for it: without the language, this knowledge will itself be lost. The cultural value of languages is therefore central to our discussion here, since each one reflects a unique view of the world, a pattern of thought and culture whereby the diversity of languages is also a reservoir of the world's knowledge (including biodiversity-related knowledge).

Results

Linguistic diversity and traditional ecological knowledge

In many cases, the survival of biodiversity is dependent on the continuance of the local and indigenous cultures that sustain it through their practices and innovations based on traditional knowledge which is, in turn, carried by the local language (Maffi and Skutnabb-Kangas, 2000). Traditional knowledge (TK) systems can be understood as: “systems of knowledge and skills, understandings and interpretations,[that] have been developed through generations of fine-grained interaction with the natural environment...” (UNESCO, 2000). TK is a community-generated form of knowledge and is usually held collectively. It forms the basis for decision-making and survival strategies and based on innovation, adaptation and experimentation. Importantly, it is *orally transmitted* from generation to generation and so usually undocumented and is location- and culture-specific. It is, as a result, wholly dependent on the continued viability of the language that carries it for its existence (Nakashima, 1998: 8). Languages, in their turn, are a vehicle for culture (Smeets, 2004)² and, in this way, are a kind of cultural DNA that carries information about cultural knowledge inherited from our ancestors that is encoded in it.

In this view, the diversity of life on Earth is not limited solely to the variety of plant and animal species and ecosystems as found in nature, but extends to include the variety of cultures and languages present in human societies. Cultural and linguistic diversity carries

within it the potential of human societies to adapt their life-styles and practices to the needs of the physical environment and to develop sustainable approaches to resource exploitation (UNESCO, 2003a).³ This demonstrates the significant cross-fertilisation that exists between cultural and biological diversity, which becomes less as languages die out as they are now doing at an increasing rate. The mutuality of this relationship is further underlined by Glowka *et al.* (1994: 48) who noted that loss of biological diversity “tears at the very fabric of human cultural diversity which has co-evolved with, and depends on, their continued existence. As communities, languages and practices of indigenous and local peoples die out, lost forever is the vast library of knowledge accumulated, in some cases, over thousands of years”. Notable in both of these statements is the emphasis placed on language as a key vector for biodiversity-related knowledge and practices.

Therefore, the relationship between the traditional knowledge (including their languages and related oral traditions) of local and indigenous communities and biodiversity is an intimate one (*Ibid*). This was recognised in the Rio Declaration (UN, 1992a at Principle 22) that stated that indigenous and local communities play a vital role in environmental management and development because of their knowledge and traditional practices. Chapter 26 of Agenda 21, the Plan of Implementation of the Declaration further emphasizes the need to recognize indigenous peoples’ traditional values, knowledge and their special relationship with the environment.⁴ The UN Convention on Biological Diversity (UN, 1992b) (henceforth ‘CBD’)

expressed this in terms of an obligation on Parties in Article 8(j) which emphasizes the important role of indigenous and local communities' traditional knowledge and innovations for the sustainable use of natural resources and the preservation of biodiversity.⁵ The TEK of indigenous and other local peoples in relation to forestry, agricultural and fishing practices and innovations, for example, assures the survival and sustainability of the environmental resource in question, as well as of the people themselves and their way of life. In order to fulfil the obligation to "respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities" that are "relevant for the conservation and sustained use of biological diversity", Parties should identify and eliminate policies that have a negative impact on biodiversity through the erosion of cultural diversity which includes, of course, linguistic diversity. This is the sole international legally binding instrument that explicitly makes reference to protection of the traditional knowledge associated with biodiversity.

Linguistic and Biological Diversity

Language is closely adapted to the ecological and social environments in which we live. This fact is well-illustrated by the differences we can identify in the words available in languages spoken by people inhabiting diverse physical environments. For example, languages spoken by the peoples inhabiting the Sahara tend to be rich in words to describe sand and camels while the Suomi language of an indigenous people northern Scandinavia contains many words to describe snow and reindeer (UNESCO, 2003a: 18). On the

basis of such information, linguists and anthropologists suggest that the diversity of ideas carried and maintained by different cultures and their languages are as necessary to human survival as are species and ecosystem diversity. Linguistic diversity, therefore, offers the greatest possible range and variety of solutions to the challenges of survival. As a corollary to this, it also provides the essential basis for developing and continuing ecologically sustainable ways of life and subsistence that encourage greater biodiversity.

There is a strong parallel between linguistic and biological diversity that has direct relevance to the main thesis of this article. Just as biodiversity 'hotspots' can be found throughout the world, so we can identify certain linguistic diversity 'hotspots'. In these linguistic diversity hotspots, the concentration of linguistic diversity is exceptionally high.⁶ For example, 25% of the world's languages are spoken in just two countries: Papua New Guinea (850 languages) and Indonesia (670 languages) (Grinewald, 2003; Chambers *et al.*, 2002). A further point that underlines the significance of linguistic diversity as an enabling factor for preserving biodiversity is that we can identify a strong correlation between areas of high linguistic and biological diversity. If we take biological 'mega-diversity' countries such as Madagascar, Ecuador and Malaysia (to name but three of the 15 such countries), we can find nine cases where linguistic hotspots overlap with biological mega-diversity, namely: Australia, Brazil, Colombia, D.R. Congo, India, Indonesia, Mexico, Papua New Guinea and the Philippines (UNESCO, 2003a).

Some Facts on Language Endangerment

It has been estimated that there are approximately 6,800 distinct languages (this figure does not include dialects) (Smeets, 2004), many of which face serious endangerment or extinction: 95% of languages are spoken by fewer than 1,000,000 people and the 500 most-endangered languages have 100 speakers or less (Chambers, 2002).⁷ Significantly for safeguarding approaches, both internationally and nationally, the highest level of linguistic diversity is found in small communities with 6,500 languages spoken by only 10% of the world's total population which places many of them in a situation of extreme endangerment (Grinewald, 2003). The drastic effect on languages of global pressures on speaker communities to assimilate⁸ was noted in report of the World Commission on Culture and Development (1996) (WCED, 1996: 178-182). A large proportion of the languages spoken today are in danger of dying out with possibly 90% becoming extinct by the next century (Crystal, 2003). This unfortunate fact draws out the parallels between linguistic and biological diversity, the latter now disappearing at an unprecedented rate that is wholly beyond all naturally expected parameters.⁹

A language becomes 'endangered' when its speakers cease to use it, use it in an increasingly reduced number of communicative domains, and cease to pass it on from one generation to the next (UNESCO, 2005). It is possible to identify certain specific factors for language endangerment, including: shifts in the domains of language use; response to new domains and media; accessibility of teaching materials

(language education and literacy); governmental/institutional language attitudes and policies and community members' attitudes. If we wish to create an enabling language environment for biodiversity to flourish, we should take account of these factors with regard to local and indigenous languages when designing environmental protection programmes. By so doing, we will also be helping to 'put back' the cultural pillar into the three pillars of sustainable development.

Discussion

The Legal and Policy Framework

An important tool available to us for achieving this is the range of human rights relating to languages and their speakers (see: Skutnabb Kangas and Phillipson, 1995). This provides an extensive framework for protecting language-related rights, covering both special status rights for linguistic minorities and indigenous persons and the right not to be discriminated against on the basis of language (De Varennes, 2001). Despite this and although environmental protection has been seen as a pre-requisite for guaranteeing human rights since 1972 (UN, 1972),¹⁰ supporting language-related rights is not generally viewed as a basis for securing a safe and healthy environment. In this article, I will only briefly introduce the human rights relevant to safeguarding local and indigenous languages in order to make clear the nature and extent of these rights.

In the International Covenant on Civil and Political Rights (ICCPR) (UN, 1966a), Article 26 sets out the principle of equality before the law

and non-discrimination “on any ground such as ... language” so that speakers of minority languages should have full enjoyment of all of the rights in the Covenant, such as: the right to a fair trial (Art.14); the right to freedom of expression (Art.19(2)); and the right to take part in public affairs and have access to public service (Art. 25). Article 27 of the ICCPR ascribes the right to persons belonging to linguistic minorities of using their own language and moves beyond a simple guarantee of non-discrimination (insufficient alone to guarantee language rights) and towards the more positive notion of preserving a linguistic identity. Hence, while preventing members of a minority from acquiring knowledge of a national or official language would be discrimination, failure to allow the teaching of minority languages in schools and universities (when the minority desires this) would, *prima facie*, constitute a breach of Article 27 (Thornberry, 1991:197). Although the article itself is not specific as to the measures to be taken for this,¹¹ it is common for emphasis to be placed on three aspects: (a) mother tongue education (b) equitable access to funding and (c) use of minority languages in the courts and administration.

The International Covenant on Economic, Social and Cultural Rights (ICESCR) (UN, 1966b) sets out the right to education (Article 13) which, when combined with the principle of non-discrimination on the basis, *inter alia*, of language (Article 2), would include the right to be educated in one’s own language (Article 13(3)). Given that the protection of culture must include the protection of its linguistic medium,

the right to participate in cultural life set out in Article 15 is also directly relevant. This can be understood to include the right of access to and preservation of one’s cultural heritage, including one’s linguistic heritage and the associated intangible elements such as oral traditions, traditional knowledge and practices etc. (Human Rights Council, 2011; Blake, 2011).

The Convention on the Rights of the Child (UN, 1990) is also relevant here since it: affirms the right of the child to preserve his/her identity (Article 8); affirms his/her right to freedom of expression (Article 13); requires the mass media to have particular regard to the linguistic needs of indigenous or minority children (Article 17(d)); calls for recognition of the right to education “on the basis of equal opportunity” (Article 28) which could be interpreted as implying mother tongue education; and provides that children should not be denied the right to use his/her own language (Article 30). This last provision would imply the need for language policies that promote functional use of the language.

Indigenous peoples also enjoy special status rights under human rights law, in addition to those they may hold as members of linguistic minorities (Thornberry. 2002). Importantly for this article, indigenous groups are the heirs to a significant knowledge set that is maintained and transmitted through ca. 4,800 of the world’s ca. 6,000 languages (Smeets, 2004). The 1989 ILO Convention on the rights of indigenous and tribal peoples (ILO, 1989), calls for the full realization of the cultural rights of these peoples with respect for their social and cultural identity,

customs, traditions and institutions (Article 2(2)(b)). In addition, Article 27 calls, *inter alia*, for: educational programmes to be designed and implemented in cooperation with them and “to meet their special needs” and for the progressive transfer of responsibility for these programmes to the communities. This would provide an opportunity for the State in partnership with indigenous communities to develop teaching in their own languages that reflect their values relating to the environment and biodiversity. Furthermore, Article 28 requires that indigenous children learn to read and write in their own language and for the State take measures to preserve and promote the development and practice of indigenous languages (King, 2004).

Another (non-binding) instrument of interest here is the United Nations Declaration on the Rights of Indigenous Peoples (UN, 2007) which recognizes (in the Preamble) that “indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples”. We should understand the right to maintain and develop their languages in these terms as a collective right held by them *as peoples*. The right not to be subjected to forced assimilation or destruction of their culture (Article 8) is important since many States have in the past pursued a policy of assimilation of their indigenous populations that has been seriously destructive of their cultures and, particularly, their languages (Anaya, 2002).¹² Article 13(1) explicitly asserts the right of indigenous communities to revitalize, use, develop and transmit “their languages, oral traditions ... writing systems, and literatures” to

future generations. Article 14(3) requires States to give indigenous individuals (especially children) access to education “in their own culture and provided in their own language”. Here it goes further than most human rights instruments by explicitly linking language with cultural traditions - this shows that it is not simply the language as a medium of education that is important, but also *as a vehicle for culture*. This approach also makes the connection between linguistic diversity and traditional (cultural) knowledge/practices that contribute to biodiversity and sustainability. Significantly, under Article 31(1), indigenous peoples have the right “to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions ...” This provision has obvious implications for the maintenance of indigenous languages and their role in environmental sustainability.

Increasingly, cultural heritage protection is understood as a human rights question (Blake, 2011) and two other international treaties are also relevant here: UNESCO’s Intangible Cultural Heritage (henceforth ‘ICH’) (UNESCO, 2003b) sets out “languages as a vehicle of the intangible cultural heritage” as the first domain of ICH (Article 2 (2)). This, then, allows for local and indigenous languages that are crucial to the continuance of biodiversity-related cultural practices to benefit from national safeguarding measures as well as international assistance under the Convention (see also: McConvell, 2001). This will be further examined below. The increased emphasis now placed by the World Heritage Committee in involving local

communities' TEK and associated cultural practices in safeguarding sites inscribed on the World Heritage List under UNESCO's 1972 Convention (UNESCO, 1972) (Boer and Gruber, 2009; Blake, forthcoming 2013) can also be applied to cases where local knowledge is deeply embedded in language.

National Policy-making

Almost all measures taken to stem or reverse the loss of the world's languages will have to be taken at the national (including regional or local) level. It is important, then, to be clear what types of policy would be appropriate if we accept a general duty to ensure the maintenance and preservation of endangered languages. Action taken to prevent language loss will only be effective if meaningful contemporary roles can be found for minority languages and this means, in practice, their use in everyday life, commerce, education, writing, the arts and the media (Wright, 2001). This would require States not only to allow this to happen but also to take positive steps to make it possible. Linguistic diversity should not be regarded purely quantitatively as a 'numbers game' but also qualitatively in terms of the *functional use* of the languages in society (UNDP, 2004:9).¹³ So, when promoting linguistic diversity we must stress the importance of respecting the cultural identity of every individual in society, including the right to speak and use their own language (*Ibid*).

The previously mentioned overlap between linguistic and biological diversity has strong implications for some of the smallest and poorest states in the world who need to guarantee a wide

range of language-related rights that are expensive in terms of human and economic resources. If we regard, for example, teaching children in their mother tongue as a desirable goal of multilingual policies¹⁴ then the challenge for small countries rich in bio- and linguistic diversity, such as Papua New Guinea, are huge. However, it should be noted that Papua New Guinea has achieved an astonishing success in this area and, by 2001, was using 380 (out of a total of 850 local languages) as the medium of instruction of pre-school and years 1 and 2 of primary school in a population of 5 million (Fishman, 2001). This compares extremely favourably with countries such as France, UK and Iran which all have much greater resources (and fewer languages). The question is really one of political will to put in place multilingual policies; undeniably, the choice of language policy involves complex and sensitive issues of national identity which can be a very problematic issue for some States (Wright, 2001). Specific measures to preserve endangered languages might include:

- Developing new multilingual language policies in education.
- Training teachers to use the mother tongue as the medium of instruction.
- Encouraging the use of different languages in the private and public domains.
- Language documentation (of endangered languages).
- Public and private support (financial, technical etc.)
- Legislation to provide equal treatment under the law to all languages

It is important to ensure the real and active participation of speaker communities at all stages of the process (Crystal, 2003). Moreover, raising awareness within speaker communities of the value of linguistic diversity and mother language use is vital to this. The aforementioned policies would, in themselves, contribute greatly to this.

Intangible Cultural Heritage and Linguistic Diversity – A Case Study

Most the contemporary physical environment (with the rare exception of wilderness sites) has been shaped and moulded by human activities. In a parallel manner, many human social and cultural practices have developed in response to the physical environment. Indeed, 2003 Intangible Heritage Convention's definition of ICH includes the fact that this heritage is "is constantly recreated by communities and groups in *response to their environment*, their interaction with nature and their history" (Article 2(1), emphasis added). As previously noted also, language is explicitly recognised in the Convention as the main vector for the development, maintenance and transmission of ICH (including TEK and environmentally sustainable practices) (in Article 2(2)) and it is the treaty in which both the environmental and human rights dimensions of cultural heritage protection are most clearly demonstrated.¹⁵

Under the 2003 Convention, three international Lists are established: a List of Intangible Heritage in Need of Urgent Safeguarding, a Representative List of Intangible Heritage of Humanity (henceforth 'RepList') and a List of Programmes, Projects and Activities for

the Safeguarding of Intangible Cultural Heritage that reflect best practice.¹⁶ If we take one or two examples inscribed on each of these last two lists, the connection between safeguarding endangered (especially indigenous) languages and environmental sustainability becomes clear. A good example on the RepList is the "Jaguar Shamans of Yuruparí" element in Colombia which covers the mythical and cosmological structures of the traditional knowledge of different ethnic groups that live along the Pirá Paraná River, following a calendar of ceremonial rituals, based upon their sacred traditional knowledge. This TEK serves to revitalize nature and transmit traditional guidelines for maintaining the health of the land to male children as a part of their passage into adulthood. Here, these cultural elements are oral in character and so the languages of the cultural communities that practise it are central to its continuing viability.

A particularly notable element for this discussion is that of the "Oral Heritage and Cultural Manifestations of the Zápara People" element (Ecuador and Peru). The Zápara are an indigenous people who inhabit part of the Amazon jungle between Ecuador and Peru in one of the most bio-diverse areas in the world. At the same time, and they are the last representatives of a pre-conquest ethno-linguistic group. They are in very serious danger of disappearing altogether since their population numbers no more than 300 (200 in Ecuador and 100 in Peru) in 2001; among these only five, all aged over 70, still speak the Zápara language. They have developed an oral culture that is extremely rich

in its understanding of the natural environment, demonstrated by the wide-ranging vocabulary for the local flora and fauna and by their medicinal practices and knowledge of the medicinal plants of the forest. This TEK is expressed through their myths, rituals, artistic practices and their *language* which serves as the repository of traditional knowledge and as the memory of the people and the region. The Amazon aboriginal peoples of that region currently face multiple threats (such as deforestation due to logging) as does this part the Amazon that itself is such an ecologically rich and crucial area and one that is now facing very serious threats. Language is a key vector of this oral culture and of their TEK and it is in grave danger of extinction.

As for the third (Programmes, Projects and Activities) List, the sub-regional project for Safeguarding the Intangible Cultural Heritage of Aymara Communities in Bolivia, Chile and Peru is a good example of how these can contribute to supporting linguistic and biological diversity. This project is aimed at developing safeguarding measures to ensure the viability of the oral expressions, music and traditional knowledge (including agricultural technologies) of the Aymara communities of Bolivia (La Paz-Oruro-Potosí), Chile (Tarapacá-Arica-Parinacota-Antofagasta) and Peru (Tacna-Puno-Moquegua). Hence, we see again how safeguarding oral (linguistic) heritage is an essential element in ensuring the continuance of traditional agricultural or other resource use that is environmentally sustainable and, thus, contributes to supporting biological diversity. This is strongly demonstrated in the main activities to be implemented over the

course of the planned five-year project. These are: (1) identifying and inventorying the traditional knowledge and oral traditions of Aymara communities in the selected areas, (2) strengthening language as a vehicle for transmission of the intangible cultural heritage through formal and non-formal education, (3) promoting and disseminating Aymara oral and musical expressions and (4) reinforcing traditional knowledge related to the production of textile arts and traditional agricultural techniques.

It is important also to note that these four main lines of action of the planned project have been established as priorities by the Aymara communities during different phases of consultation and project design and so they illustrate also the importance of community participation in such projects. They also clearly demonstrate the degree to which the local community themselves are aware of the strategic importance of their language and oral culture as vectors for this vital ecological knowledge and agricultural practices that can ensure the future sustainability of their environment and its fauna and flora. Equally importantly, the project activities will be implemented with the full involvement of the relevant communities.

In this paper, the intimate relationship between linguistic and biological diversity has been drawn out and, consequently, the importance of ensuring that endangered languages and their speaker communities are protected. To this end, the human rights and policy framework within which this can be ensured has been presented. In view of the value to humanity as a whole of biological

diversity, it is appropriate to regard the preservation of linguistic diversity not only as a duty placed on States by virtue of their obligations under human rights treaties, but also as a general duty they owe to the international community and all humankind.

Since many of the world's 6,800 languages are spoken by indigenous populations in biodiversity-rich places, it is vital that the rights of these people (including rights related to their ancestral lands and heritage) be protected as a common interest of humanity. Given that 6,500 of these languages are spoken by only 10% of the world's population, many are facing extreme endangerment and as many as 90% may become extinct by the next century. As this article also makes clear, such a loss of linguistic diversity (and the associated oral heritage and TEK) will inevitably lead to a further and dramatic loss of biological diversity. Thus, in order to tackle the on-going decline in biodiversity, creative (and culturally-based) means must be found to preserve these endangered cultures and languages that are under extreme pressure from multiple threats in today's world.

As one such approach, this article presents the work currently being undertaken to implement the 2003 Intangible Cultural Heritage Convention (regarded here as a human rights-related treaty) as one of the most directly targeted actions by the international community and individual States to address this inter-dependency between bio- and linguistic diversity. However, this is not sufficient in itself and it is essential that future international policy- and law-making is able to address more explicitly this relationship between bio- and

linguistic diversity in order to develop a comprehensive approach to their continued erosion.

Notes

1. Art. 1 of the 2001 declaration states that: "As a source of exchange, innovation and creativity, cultural diversity is as necessary for humankind as biodiversity is for nature. In this sense, it is the common heritage of humanity and should be recognized and affirmed for the benefit of present and future generations". The 1992 UN Convention on Biological Diversity also characterises its subject-matter as a common heritage whose preservation is a common interest of humankind.
2. In the domains of intangible cultural heritage set out in Art.2(2) of UNESCO's Convention on the Safeguarding of Intangible Cultural Heritage, language is described as "a vehicle of the intangible cultural heritage".
3. UNESCO (2003) states at p.12: "[o]ur success on this planet has been due to our ability to adapt to different kinds of environments over thousands of years ... Such ability is born out of diversity. Thus language and cultural diversity maximises the chances of human success and adaptability."
4. Principle 22 of the Rio Declaration requires States to 'recognize and duly support their identity, culture and interests.' Chapter 26 of Agenda 21 states: 'Recognizing and Strengthening the Role of Indigenous People and their Communities' emphasizes the need to recognize indigenous peoples' traditional values, knowledge and relationship with the Earth.
5. The article requires States Parties to: "... respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and

- sustained use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge.”
6. The island of New Guinea is a particularly notable example of this phenomenon, with over 1,000 distinct languages spoken by a population of less than seven million people. This contrasts with Scotland, for example, where a population of approx. 5 million almost exclusively speaks English (albeit with distinct dialects) with scattered, small communities of Gaelic speakers mostly located in the Highlands and Islands of the Northwest.
 7. Half of which are found in 8 countries: Papua New Guinea (832); Indonesia (731); Nigeria (515); India (400); Mexico (295); Cameroon (286); Australia (268); and Brazil (234). Language statistics from *Ethnologue*, the world's most widely used catalogue of languages, available at: www.sil.org/ethnologue.
 8. These pressures include cultural and economic globalization as well as the impact of national language policies that favour the dominant community language.
 9. It has been estimated that the current species extinction rate is between 1,000 and 10,000 times higher than it should naturally be, see: *State of the World's Species Factsheet* available at: http://cmsdata.iucn.org/downloads/state_of_the_world_s_species_factsheet_en.pdf [last accessed December 2012].
 10. The Stockholm Declaration understands environmental protection as a pre-condition to the enjoyment of internationally guaranteed human rights, especially the rights to life and health.
 11. These are further elaborated in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UN, 1992) [G.A. res. 47/135, annex, 47 U.N. GAOR Supp. (No. 49) at 210, UN Doc. A/47/49 (1993)].
 12. It calls on States to “provide effective mechanisms for the prevention of and redress for” (a) any action which has the aim or effect of depriving them of their integrity as distinct peoples, their cultural values or their ethnic identities and (b) any form of forced assimilation or integration.
 13. This report states that “recognising a language means much more than just the use of that language. It means respect for the people who speak it, their culture and their full inclusion in society.”
 14. Whereby every child would learn at least two languages (mother tongue plus a ‘national’ language) if not three (mother tongue, ‘national’ and international language)
 15. One of the most notable aspects of this Convention is the central role it gives to the cultural communities and groups (and, in some cases, individuals) associated with safeguarding ICH.
 16. Information on the elements and project described here is taken from the UNESCO website, available online at: (<http://www.unesco.org/culture/ich/index.php?pg=541>) [last accessed January 2013].

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