

Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace

Canada has signed the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace.

Adoption: The Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace was adopted by the UNESCO General Conference at its 32nd session in Paris on 15 October 2003.

Entry into force: The Recommendation is not legally binding.

Number of signatories and ratifications/accessions: All UNESCO Member States are encouraged to implement the Recommendation.

Summary information

In its introduction, the UNESCO document “A Decade of Promoting Multilingualism in Cyberspace”, published in 2015, highlights the key issues raised by evolutions of technologies – particularly NICT – and culture in today's world. The statement shows how information and knowledge are “key determinant of empowerment, wealth creation, social transformation and human development” so as to languages which allows the transmission of culture and knowledge. However, there is evidence ascertaining that linguistic diversity is in danger : according to some estimates, half of all languages spoken currently will have disappeared by the year 2050.

In this context, the role of Internet is also questioned: “Nowadays, the Internet is considered as a primary way of sharing information and knowledge. But while, in principle, it is open to all languages when certain technical conditions are met and the necessary human and financial resources are in place, in reality this is far from being the case. A large number of languages are still not present on the Internet. It is estimated that out of the world’s approximately 6,000 languages, just 10 of them make up 84.3 per cent of people using the Internet, with English and Chinese the dominant languages, accounting for 52 per cent of Internet users worldwide.”

Being able to use one's own language on the Internet is an extremely important issue because it determines the extent to which one can participate fully in the emerging knowledge societies while the persons without access to it and its resources would be marginalized. “The Internet should be a multilingual and culturally diverse place where every culture and language has its own space.” It is for this aim that UNESCO commits itself into the issue of multilingualism in cyberspace.

With the adoption of the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace in 2003, the General Conference of UNESCO recognizes the “importance of promoting multilingualism and equitable access to information and knowledge, especially in the public domain”. It recalls the

leading role of UNESCO in favour of an equitable and affordable access to information and the development of a multicultural information society : the Recommendation proposes measures fostering universal access to digital resources and services, and facilitating the preservation of their cultural and language diversity. The implementation of the Recommendation focuses on four areas:

- development of multilingual content and systems;
- facilitation of access to networks and systems;
- development of public domain content;
- reaffirmation of equitable balance between the interests of right-holders and the public interest.

The UNESCO Knowledge Societies Division is in charge of the implementation of the Recommendation concerning the Promotion and Use of Multilingualism and Access to Cyberspace, as part of its role of promoting the realization of the concept of knowledge societies that are built on the key principles of inclusion, openness, diversity, and pluralism.

UNESCO also do a preliminary work on this issue providing information on multilingualism: the Atlas of the World's Languages gives information on about 2500 languages that are in danger or are actually extinct since 1950. Three editions were printed – in 1996, 2001 and 2010 – and the Atlas also has an online edition. For each language the print Atlas provides a name, degree of endangerment and country or countries where it's spoken. The Atlas aims to serve as a monitoring tool that permit the analysis of linguistic diversity at a global level, but also to raise awareness of this issue.

Under this Recommendation, various activities were also planned and carried out. The World Summit on the Information Society took place in Geneva in 2003 and in Tunis in 2005 – during which representatives of 175 countries debated on Internet governance with the objective of developing and fostering a plan to action to establish the foundations for an Information Society for all. The Internet Governance Forum, a multi-stakeholder forum for policy dialogue on issues of Internet governance, was created in 2006 and takes place every year. International Mother Language Day was proclaimed by the General Conference of UNESCO in 1999 – with the goal of promoting multilingualism. All these activities are part of UNESCO's mandate to promote linguistic diversity – as in the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace.

History

The UNESCO Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace was voted at its General Assembly in 2003 as part of its mandate of promoting cultural diversity – including language. However, this Recommendation was part of a wider debate about the need to safeguard the world's linguistic diversity, especially because of the new issues raised by the emergence of ITC (Information and Communication Technologies).

As explained in the document "Multilingualism in Cyberspace" published by the Commission of the Russian Federation for UNESCO, at an international level, the issue of languages and rights of linguistic communities was first introduced in the context of the Universal Declaration of Human Rights (UDHR) in 1948, which emphasized language as one of the key prerequisites for the realization of human rights and fundamental freedoms. Article 2 of the UDHR states that "everyone is entitled to all the rights and freedoms set forth in this declaration, without distinction of any kind, such as race, colour, sex, language, religion..." Additionally, communicating in one's home language was indicated as central to the right to freedom of expression and access to information, as set out in Article 19 of the UDHR. Since then, the issue of languages, particularly in danger of disappearing, has gained greater awareness. This has resulted in the endorsement of several international normative instruments such as the UNESCO Convention and Recommendation against Discrimination in Education (1960) which stressed in its 5th Article the importance of the use and teaching of members of national minorities in their own language. Another example is the International Labour Organization's (ILO) Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries (1989) which affirmed the rights of minorities to read and write in their own indigenous language or in the language most commonly used by the group to which they belong (Article 28).

Many other normative advocacy, such as proclamation of 21 February as International Mother Language Day or the publication by UNESCO of the Atlas of the World's Languages in Danger, contributed to the implementation of a conceptual framework for a range of actions to promote linguistic diversity around the world.

According to its mandate of promoting cultural diversity, UNESCO has been taking several important steps to develop international policies in the field of linguistic diversity and multilingualism on the Internet. In 2001, UNESCO's General Conference unanimously adopted the Universal Declaration on Cultural Diversity, which provides a solid conceptual framework for a range of actions that promotes the preservation of endangered languages. In response to this declaration, the UN General Assembly stated in February 2002 that it "pursues multilingualism as a means of promoting, protecting and preserving diversity of languages and cultures globally", and recognized that multilingualism "promotes unity in diversity and international understanding." In October 2003, UNESCO's member states unanimously adopted the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace.

Key provisions

Through the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace, UNESCO encourages Member States to support equitable and affordable access to information and to promote the development of multilingual knowledge societies.

First of all, it recalls how an equitable access to information is part of the full implementation of human rights and fundamental freedoms that are provided by major human rights treaties such as the Universal Declaration of Human Rights and the two International Covenants of 1966 relating respectively to civil and political rights and to economic, social and cultural rights. The preamble of the Declaration also recalls how the provisions set forth in the Recommendation are fully part of UNESCO's mandate.

The Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace is structured into four sections corresponding to four key areas in the promotion of multilingualism in the Internet:

- development of multilingual content and systems;
- facilitation of access to networks and systems;
- development of public domain content;
- reaffirming the equitable balance between the interests of rights-holders and public interest.

I - Development of multilingual content and systems

The first section of the Recommendation calls the States to take measures in order to promote linguistic diversity, especially through a multilingual internet, and the preservation of languages, including endangered ones. This necessity of multilingual content and systems implies the promotion of the teaching of languages in cyberspace – and thus to support developing countries to enhance the human capital skills in this area. The Recommendation highlights the necessity of collaboration between States and the share and skills and knowledge: Member States should encourage international collaborative participatory research on the development of multilingual content management tools and resources.

II – Facilitation of access to networks and systems

The Recommendation recalls that the recognition of universal access to the Internet shall be an instrument for the implementation of human rights as defined in Articles 19 and 27 of the Universal Declaration of Human Rights.

Then, many policies can contribute to the development of universal access to the Internet. Member States should promote universal access to the internet as a service of public interest, which implies to develop affordable telecommunications and Internet costs. Encouraging a facilitated access to Internet for public service institutions (such as schools, public libraries...) can also constitute a transitional measure towards universal access to cyberspace. The Recommendation also recommends partnerships (including the establishment of inter- and intra-regional networks, the sharing of information for open source technologies and collaboration in the management of domain names) in order to connect each country within a global network.

III – Development of public domain content

The third section of the Recommendation states in favour of the development of public domain information, which is defined in the Recommendation as a “publicly accessible information, the use of which does not infringe any legal right, or any obligation of confidentiality”. It firstly refers to the recognition of the right of universal online access to public records in a matter of a “modern democratic society”. Then, it refers to the “ realm of all works or objects of related rights, which can be exploited by everybody without any authorization, for instance because protection is not granted under national or international law, or because of the expiration of the term of protection.”

The Recommendation highlights the necessity for Member States, but also others stakeholders such as international organizations, to promote a better access to the public domain – “without geographical, economic, social or cultural discrimination” – which then implies the development of “human capital” for the information society so ICT would not be limited to technical competence.

The Recommendation also includes an ethical dimension to its provisions : “ethical guidelines should be encouraged among information producers, users and service providers with due respect to freedom of expression.”

IV - Reaffirming the equitable balance between the interests of rights-holders and public interest

The last section of the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access the Cyberspace highlights the importance of an equitable balance between the interests of rights-holders and public interest – particularly concerning intellectual property issues. The existing national copyright legislation must be updated to fit with the new issues raised by cyberspace, and Member States and international organizations should also pay careful attention to the “development of technological innovations and to their potential impact on access to information in the framework of copyright and related rights protection under international treaties and agreements”.

The norms and principles set forth in this Recommendation must be applied by Member States within their respective jurisdictions by taking any required legislative policies. Member States should report to the General Conference of UNESCO on the action they have taken to give effect to his Recommendation.

Canada's commitments and responsibilities

The implementation of the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace is particularly relevant in Canada because of its bilingualism. Canada's Official Languages Act states that its purpose is to “ensure respect for English and French as the official languages of Canada and ensure equality of status to their use”, so as so “support the development of English and French linguistic minority communities and generally advance the equality of status and use of the English and French languages within Canadian society”. Then, all Canadians are

supposed to be able to use either French or English in their daily life – including for administrative tasks. A survey on the Vitality of Official-Language Minorities (anglophones in Quebec and francophones outside of Quebec) has been held in 2007 in order to understand the current situation of individuals who belong to these groups on subjects as diverse as instruction in the language of the minority or access to different services in the language of the minority (education, health, justice...), as well as language practices both at home and outside of the home. The survey highlighted some difficulties for persons belonging to these groups: as an example, it was found that English was the predominant language in contacts with the different health services. The principle reason cited by respondents was the lack of professionals who spoke their minority language.

The issue of the revitalization of First Nation, Inuit and Métis' Languages and Cultures is also at stake – we can refer to the Report to the Minister of Canadian Heritage by The Task Force on Aboriginal Languages and Cultures published in June 2005.

This is why the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace is so important to implement in Canada. However, as Canada is a federal country and as each government (federal, provincial and territorial) has the power to legislate in the human rights and ICT fields, the Recommendation has to be implemented in every level.

The Canadian Commission for UNESCO has already submitted three reports to the implementation of the Recommendation, at the 34th, 36th, and 38th sessions of the General Conference of UNESCO. The reports have been made in consultation with federal departments and the ten provinces and three territories – as the federal structure of Canada implies.

Canada's third report recalls the responsibility assigned to Canadian Heritage to implement the Official Languages Acts coordinating federal institutions' efforts in ensuring that appropriate measures are taken to advance the equality of status and use of English and French in Canadian society. It also recalls the support provided to the preservation and revitalization of Aboriginal languages through the Aboriginal Languages Initiative (ALI).

Then, the report describes the policies implemented to facilitate access to networks and services, develop public domain content and reaffirm the equitable balance between the interests of rights-holders and the public interest. As an example, in a matter of modernization, the Copyright Act has been updated in 2012 in order to take full advantages of the opportunities of the digital economy, as part of the Canada Digital 150 initiative.

International monitoring and implementation

As a Recommendation adopted by UNESCO, the Recommendation concerning the Promotion and Use of Multilingualism and Universal Access to Cyberspace doesn't have

any binding force. Thus, no specific institutional mechanism is provided to monitor the Recommendation.

However, at its 33rd session, in October 2005, the General Conference, requested each Member State to prepare and submit to the Secretariat a first report on such measures by January 2007, and subsequently once every four years with effect from that date (33 C/Resolution 54). Three reports have already been submitted to the General Conference at its 34th, 36th, and 38th sessions. Canada submitted its reports every time – while only 22 Member States did so for the third report.

The presentation of the fourth report at the General Conference will take place at its 40th session in 2019.

References

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[UNESCO Universal Declaration on Cultural Diversity](#)

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[A Decade of Promoting Multilingualism in Cyberspace \(UNESCO document\)](#)

[Canada's Official Language Act](#)

[Survey on the Vitality of Official-Language Minorities](#)

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