Texts Referred to in Paper on ‘Communities’, ‘Groups’ and ‘Individuals’  
(Janet Blake)

- **Glossary Definitions**

  **Community:** “People who share a self-ascribed sense of connectedness. This may be manifested, for example, in a feeling of identity or common behaviour, as well as in activities and territory. Individuals can belong to more than one community.”

  **Local community:** “A community living in a specific locality.”

  **Cultural community:** “A community that distinguishes itself from other communities by its own culture or cultural design, or by a variant of the generic culture. Among other possible extensions, a nation can be a cultural community.”

  **Culture:** “The set of distinctive spiritual, material, intellectual and emotional features of a society or social group, encompassing, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs.”

- **PCIJ Definition of “community”**¹

  “By tradition – the community is a group of persons living in a given locality, having a race, religion, language and tradition of their own and united in this identity of race, religion, language and tradition in a sentiment of solidarity, with a view to preserving their traditions … in accordance with the spirit and tradition of their race and rendering mutual assistance to each other.”

- **Article 27 of the ICCPR**

  “In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, profess and practice their own religion, or to use their own language.”

- **UNESCO Declaration of the principles of International Cultural Co-operation (1966)**

  “Article 1

  1. Each culture has a dignity and value which must be respected and preserved.
  2. Every people has the right and the duty to develop its culture.”

¹ Greco-Bulgarian Communities Case, PCIJ Ser.B, No.17,29,21,22 and 33.
• UNESCO Declaration on Race and Racial Prejudice (1978)

Article 5 states unequivocally “the right of all groups to their own cultural identity and the development of their distinctive cultural life within the national and international context, it being understood that it vests with each group to decide in complete freedom on the maintenance and, if appropriate, the adaptation or enrichment of the values which it regards as essential to its identity.”

The Preamble refers to “all peoples and all human groups” and to the right to be different as a right of “all individuals and groups”. Article 3 makes reference to “human beings”, “people” and “groups” in one article.

• African Charter on Human and Peoples’ Rights (1981)

Article 22 (1) “All peoples have the right to their economic, social and cultural development with due regard to their freedom and identity …”

Article 29 “The individual shall also have the duty: …

7. To preserve and strengthen positive African cultural values in his relations with other members of the society, in the spirit of tolerance, dialogue and consultation and, in general, to contribute to the promotion of the moral well-being of society.”

• 1992 Convention on Biological Diversity (CBD)

Article 8 requires each Contracting Party, as far as possible:
“(j) Subject to its national legislation, 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.”

• 2001 International treaty on Plant Genetic Resources for Food and Agriculture (FAO)

Article 5.1 (c) Parties shall endeavour as far as possible to “[p]romote or support, as appropriate, farmers’ and local communities’ efforts to manage and conserve on-farm their plant genetic resources for food and agriculture.”

Article 9.1 “Contracting Parties recognize the enormous contribution that the local and indigenous communities and farmers of all regions of the world … have made and will continue to make for the conservation of plant genetic resources for food and agriculture.”