



UNITED NATIONS
PERMANENT FORUM ON INDIGENOUS ISSUES

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Thank you Ms. Chairperson,

We will present a joint declaration for the three Indigenous Communities that we represent.

The Ecospirituality Foundation's principle objective is the protection of Indigenous Peoples' traditional knowledge and sacred lands.

The Communities that we represent high-light three emblematic cases of violation of Indigenous People's spiritual rights.

The first case regards the Apache San Carlos, Arizona.

With the charge given to us by Ola Cassadore, President of the Apache Survival Coalition, we ask for help in defending Mount Graham, the Apache People's desecrated top sacred site, menaced by the construction of a challenged international astronomical observatory. The Apaches have been protesting for 16 years, but despite the many appeals and the support of indigenous and non-indigenous organizations all over the world, Mount Graham continues being desecrated and menaced and the Apaches deprived of their rights to a sacred place.

Mount Graham, which the Apaches call *Dzill Nchaa Si'An*, plays a basic role in the traditional knowledge of this People and has always been a sacred place for them, as a spiritual and therapeutic reference point. This is the mountain where the Apaches find the herbs, waters and plants they need to practice their medical cures and has always been used by them for collective rites and individual prayers, basic for their culture and religion.

This sacred mountain is however menaced by the construction of an international astronomical observatory, a project shared by the Vatican and the Italian Government-financed Arcetri Observatory as well as the University of Arizona.

Many of the project sponsors, due to international protest and the poor visibility of the site, have withdrawn.

The Apaches appealed against this totally illegal development ever since they came to know of the project some 16 years ago, and demonstrations opposing the project were organized even before one single tree was cut down or one mine exploded.

Four years ago, the Apache Survival Coalition founded the Western Apache group that unites all West Apache Tribes to support the San Carlos Apaches in protecting Mount Graham. The Western Apaches have met the Forest Service quite often over these past years, to obtain addition of the mountain to the National Register of Historic Places due to its basic religious importance. The application was in line with the qualifications of the National Historic Preservation Act; but the Forest Service has not actually nominated this site to the Register, although it is their responsibility.

Mount Graham continues to be desecrated and the Apache continue to be excluded from their sacred mountain.

Our second case regards the Wamba Wamba Nation, which includes all of Australia's North Western clans.

On behalf of Garry Murray, president of the Wiran Aboriginal Corporation and head of the Wamba Wamba Nation we appeal about the genocide by stealth of both Commonwealth and State Governments in Australia who continue to erode Indigenous rights to self determination, the protection of their cultural heritage and the rights to their lands and waters.

Therefore, we appeal for:

Recovery, return and reburial of the Australian Aboriginal Ancestors' Human Remains;

Recovery and return of all Aboriginal Cultural Artifacts both Sacred and Non-Sacred;

The preservation and protection of Cultural Heritage places, sites and objects;

The introduction of cultural heritage protection laws that commit genocide by stealth on Traditional Owners of the State of Victoria.

The Traditional Owners rights and interests are being violated in cultural heritage matters and we draw to the attention of this Forum that the Victorian Aboriginal Cultural Heritage Act 2006 will create uncertainty for all Citizens of the State of Victoria, Australia, undermines the cultural authority and obligations of all Traditional Owners to their respective Country and will create conflict and divisions for all Stakeholders. The Bill is a form of genocide by stealth for all Traditional Owners as it disappears the names and boundaries of all Traditional Owners. This Bill also repeats the uncertainty and conflicts arising from the Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984 Part 11A.

The Petitioners therefore request that the United Nations lobby the Parliament of the State of Victoria and the Commonwealth of Australia to amend the Bill so that Traditional Owners are specifically recognized by statute, have exclusive rights to managing cultural heritage and native title rights in their respective Country. Alternatively, the State of Victoria should seek to amend the Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984 Part 11A that relates to Victorian Aboriginal Cultural Heritage for the benefit of all Traditional Owner Groups.

The final case that we wish to bring to this Forum's attention regards a European Indigenous Community that is currently unable to freely exercise their spiritual identity.

Even on the European continent, before the historical powers annihilated them, there were indigenous peoples who possessed traditions substantially similar to the remainder of the planet. Even today they offer witness to their historical existence in the sacredness attributed to the megalithic monuments scattered all over the European continent, through the teaching of myths, the continuity of their music and through the popular culture that preserves the ancient customs.

In France, at Carnac (Brittany), one of these traditional communities exists, but it is subject to intimidations and prevented from the practice of its free spiritual identity and is asking for help.

The megalithic area at Carnac was confiscated by the French government with the motivation of preserving it from damage by tourists; it has been fenced off and the traditional community living in the area is prevented from gaining free access to the place.

Since 1991 the inhabitants have been prevented from entering the area, due to a project that foresees the transformation of the site in an archaeological park for commercial purposes. The traditional Breton community is not resigned to losing this ancient reference point and has undertaken a protest that has now been underway for fifteen years.

The protest is led by the movement "Menhirs Libres" the voice of the Breton community. A protest that has become increasingly forceful as time has passed.

Céline Mary, chairwoman of "Menhirs Libres", states: "This place has always been inhabited and now the government wants to transform it into a museum. This means depriving it of life, stripping it of all meaning. The menhir have always been a living place and they must continue to be so for ever."

The violation of an Indigenous Peoples' Sacred Site means the survival of their identity is at risk. We feel that every Population has the right to preserve their traditional knowledge and their religious beliefs.

We believe the identity of Native Peoples is based on their traditional knowledge, which preserves their points of reference for their history and spirituality and without which their invaluable inheritance is bound to disappear altogether, with dire consequences for all individuals.

Thank you, Ms. Chairperson.

Rosalba Nattero and Giancarlo Barbadoro

Representatives of the Apache Survival Coalition of Arizona

Representatives of the Wiran Aboriginal Corporation of Australia

Representatives of the Breton "Menhirs Libres" Community of Brittany