

**Permanent Forum on Indigenous Issues
Eleventh session**

New York, 7-18 May 2012 Item 3

Discussion on the special theme for the year: "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests (articles 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples)"

**Joint Statement
of International Public organization
Foundation for research and Support of Indigenous Peoples of
Crimea
And Crimean Tatar People's Front**

**Dear Mr. Chairman!
Brothers and Sisters, Ladies and Gentlemen!**

The Concept of Discovery, which is a subject of our discussion, now is not only anachronism but totally non-scientific theory from as a least geographical, historical and essential point of view.

1. Geographically most of areas, where Indigenous peoples live, particularly in Africa, Asia and especially at the region of Eastern Europe, Russia, Central Asia and Transcaucasia were rather good well-known and reflected since the ancient geographical descriptions. I just point out my native land Crimea, which was famous in Hellenic and Roman sources already 2.5 thousands years ago. This concept little bit may sound in relation of some parts of pacific and Americas however even in those cases the question arises who discovered whom? If all people and all peoples are equal in accordance with basic principle of contemporary International Law we might say about meeting of different peoples and civilizations but never about discovery.
2. Historically it was not a kind of discovery. It was military reconnaissance and preparation of bridgehead for the mass military invasion and colonization. Who may now to deny it? Even in the case of my native place Crimea there was nor discovery neither even official war. There was just brutal

violation of the International Treaty guaranteed the independence of our State of Crimean Khanate by Russian Empire and very sore oppression of liberation rebels with massacres. I know that the same things were rather wide spread in other parts of the World. In addition as we know the so called discoverers i.e. colonizers manipulated by the colonized lands and peoples exchanging or even selling them up to own whims. It may be illustrated gain with Crimea, which was firstly annexed by Czarist Russian Empire, then became a part of Soviet Union and finally appeared at the hands of Ukraine. The Concept of Discovery has a very selective character; anybody may have a right to the Indigenous Land with except of Indigenous peoples.

3. Essentially that Concept is not in compliance with the sense of the very word of Discovery. Isaac Newton discovered Gravitation. Does it mean that after it he had become an owner of Gravitation? Or possessed some special rights to it?
4. The general point for the destiny of all Indigenous peoples of the World is -no mind did they live at the areas neighboring Europe or even in Europe or over the oceans – the several centuries policy of invasion, colonization, deprivation of their historical native land, human rights, and sometimes even Statehood. At present time this is continued by the attempts of some states and unfortunately international organizations to preserve them at that powerless situation, which must be evaluated as a continuous crime against Indigenous Peoples without any geographical prejudices wherever it is done now.
5. Only criteria to evaluate the situation of concrete Indigenous Peoples must to be their real position in their land: do they have their rights in accordance with their treaties and International law standards or not?

If yes, we may state a satisfactory situation, which shall be continued with the concept of Free, Prior, Informed Consent in future. If not as for instance with my people of Crimean Tatars in Ukraine we must to create an international mechanism of claim of the redress from the State, in which jurisdiction is our land now, Was it discoverer or not.

Thank you Mr. Chairman