



STATEMENT OF COMMON AFRICAN CUSTOMARY LAWS FOR THE PROTECTION OF SACRED SITES

28 April 2012, Nanyuki Custodian Meeting, Kenya

We, custodians of Sacred Sites from four African countries, are working together to revive our traditions and to protect our Sacred Sites and Territories. We are deeply concerned about our Earth because she is suffering from increasing destruction despite all the discussions, international meetings, facts and figures and warning signs from Earth.

The future of our children and the children of all the species of Earth are threatened. When this last generation of elders dies, we will lose the memory of how to live respectfully on our planet, if we do not learn from them. Our generation living now has a responsibility like no other generation before us. Our capacity to stop the current addiction to money from destroying the very conditions of life and the health of our planet, will determine our children's future.

We call on Governments, corporations, law and policy makers, and civil society to recognize that Africa has Sacred Sites and custodians who are responsible for protecting them, in order to protect the wellbeing of the planet.

PREAMBLE

The whole Earth is Sacred. Within the body of our Earth there are places which are especially sensitive, because of the special role they play in ecosystems. We call these places Sacred Sites. Each Sacred Site plays a different role, like the organs in our body. All of life is infused with spirit.

Sacred Sites exist everywhere, including in Africa. They are spiritual places created by God at the time of the Creation of our Earth, where our Custodial Clans have been praying and giving offerings since time immemorial. Our responsibility is to protect God's Creation, and to ensure that these especially holy places are not disturbed in any way. Their role and significance cannot be replaced.

Sacred Sites are sources of law. They are centres of knowledge and inter-generational learning. Our governance systems are established through our relationship with and responsibility towards Sacred Sites.

We are the generation of custodians who carry the responsibility of ensuring that we all learn from the elders of today, who are the last generation with living knowledge of nurturing the health and integrity of our Earth, passed on directly from generations before them.

We emphasize the importance of using our local language because it embodies the meaning given by our Creator. We each have a local name for our Sacred Sites, for example *Zwifho* in Venda, South Africa; *Kaya* in Giriama, *Irii* in Tharaka and Meru, *Mathembo* in Kamba, *Karigai* in Ari Gikuyu, Kenya; *Awulia* in Afan Oromo and *Adbar* in Amharic, Ethiopia; and *Ihangiro* in Banyoro and Batoro, *Kiggwa* in Baganda, Uganda. We agreed to use the word 'Sacred Sites' as a common term to describe our potent places, despite its limitation of meaning.

OUR COMMON CUSTOMARY LAWS OF SACRED SITES

1. **Sacred Sites are the source of life.** Sacred Sites are where we come from, the heart of life. They are our roots and our inspiration. We cannot live without our Sacred Sites and we are responsible for protecting them.
2. **Sacred Sites are places where spiritual power is potent.** They are energetic points in the landscape. They are places where God, spirits and ancestors are present. The sacredness of the Sacred Site reaches deep into the Earth and up into the sky. They are places of worship, like temples, where we Custodians are responsible for leading prayers and offering rituals with our Clan and communities.
3. **Sacred Sites are natural places in our Territory,** such as sources of water, rivers, crossing points, wetlands, forests, trees, and mountains which are home for plants, animals, birds, insects and all of life. Our Sacred Sites protect the diversity of plants and animals and all the life which belong in our ecosystem. Because of the threats from the outside world, they are now the last safe places for God's Creation.
4. **Sacred Sites are the home of rain,** which falls for all communities, our land, and all of life. When there is drought, for example, we carry out rituals in our Sacred Sites, which bring rain. The potency of our Sacred Sites and our practices are able to stabilize some of the local climatic changes. However this is increasingly disturbed due to industrial society's destructive beliefs and behaviour towards Sacred Sites and the Earth as a whole.
5. **Each Sacred Site has a Story of Origin, of how they were established by God at the time of the Creation of the Universe.** Sacred Sites existed before people. They are not made by humans. Sacred Sites were revealed to our ancestors who passed on the original Story and Law of Creation of how they came to be in our Territory.

6. **Sacred Sites are places where we pray and perform rituals to our God** through invoking the spirit of our ancestors and all of Creation. Rituals strengthen our relationship amongst ourselves as a community, with our land, our ancestors and our God. Our offerings, such as indigenous seed, milk, honey, and sacrifices of goats, sheep or cows, are our way of sharing and giving thanks to God and God's Creation, our Earth.
7. **These rituals and prayers maintain the order and health of our communities and our Territories.** As Custodians we are responsible for ensuring that we carry out the required rituals during the year, such as before we plant our seeds or reap our harvests. They cleanse and potentise our people and our Sacred Sites.
8. **Sacred Sites are places of healing and peace.** When our communities have problems, for example with ill health or lack of rain, we do a specific ritual to deal with the challenges. After we receive the blessing, we perform a thanksgiving ritual. Sacred Sites are places where we can resolve conflict and maintain harmony among people and all beings. There are different rituals for different needs.
9. **Each Sacred Site has Custodians chosen by God at the time of Creation.** Not everyone is a Custodian of Sacred Sites. Custodians lead the rituals for our Clans and communities. There are men and women custodians with different roles. Custodians have to lead a disciplined life following certain customs, restrictions, times and protocols, according to the ancestral law, in order for our rituals to be acceptable and to have effect.
10. **Sacred Sites are sources of wisdom.** This wisdom and the knowledge gained by our ancestors over generations, is passed on from generation to generation. We are responsible for ensuring that our living knowledge of how to live respectfully on Earth is passed on to the next generation of Custodians. **This knowledge cannot be learnt through writing and books, but is earned through life-long experience and rigorous practice with our elders.**
11. **Sacred Sites are connected to each other and function as a network or system.** If one is damaged it affects all the others. Together we, as Custodians of different countries, are protecting networks of Sacred Sites across Africa.
12. **Sacred Sites give us the law of how to govern ourselves so that we maintain the order and wellbeing of our Territory.** Cutting of trees, taking away water or disturbing Sacred Sites in any way is prohibited. These laws are non-negotiable.
13. **We are responsible for protecting our Sacred Sites and Territories through our Custodial governance systems,** which are based on our ancestral Law of Origin. Our Sacred Sites and our governance systems need to be recognised and respected on their own terms, so that we are able to maintain our cultural and ecological integrity and continuity. We are responsible to our ancestors, who have nurtured our traditions for generations, and to the children of the future, to ensure that they inherit a healthy Earth.

14. **Sacred Sites are No-Go Areas** – Sacred Sites are places which need to be respected by everyone, so that they remain the way God made them - in their diversity of life forms. We are responsible to ensure their continuity and wellbeing. This means they are out of bounds for any other activities:
- i. **Not for tourism** – as these are holy places which are not for entertainment. There are many other places where tourists can go.
 - ii. **Not for other religious activities** – just as we do not do our rituals in churches and mosques, or criticize other religions, because we respect the diverse ways in which humans pray to God, others should respect our indigenous ways.
 - iii. **Not for research and documentation** – because Sacred Sites are our holy places with related spiritual knowledge and practices, and cannot be written down by others. We are the only ones who can write down what we wish to communicate to others, because it is our sacred knowledge.
 - iv. **Not for mining or extractive activities** – because these are our holy places, our temples, and they play a vital role in maintaining the health of our Earth – as sources of water, rain, plants, animals, regulating climate, and maintaining energetic stability.
 - v. **Not for any ‘development’ or ‘investments’, meaning land- grabbing in all its forms** - because Sacred Sites are not for making money. Our children need a healthy planet with clean air, water and food from healthy soils. They cannot eat money as food or breathe money or drink money. If there is no water, there is no life.
 - vi. **Not for foreign law** – because Sacred Sites give us the Law of Origin, which existed since Creation of the Universe, before humans. The dominant legal system should recognize our customary laws, which are based on the Laws of Life.
 - vii. **Not for foreign seed** – our rituals and prayers require only indigenous seeds which Custodians have planted themselves, as this is what our ancestors and the Territory recognize as acceptable. Genetically modified (GM) seed is strictly prohibited and our Territories are GM free areas.
 - viii. **Not for any other activities which may undermine the Law of Origin and the life of our Sacred Sites and our Earth.**

We call on everyone to join forces and take responsibility to protect our Earth and respect Sacred Sites, as our common duty to future generations at this time of deep crisis for life on our planet.

This statement was drawn together by Custodians of Sacred Sites from Tharaka, Meru, Kamba and Magarini areas/territories in Kenya; Buganda and Bunyoro in Uganda; Bale and Suba in Ethiopia; and from Venda, Limpopo Province, South Africa.

The work of the Custodians is accompanied by the African Biodiversity Network (ABN) through its partners Porini Association, MELCA-Ethiopia, Mupo Foundation, National Association of Professional Environmentalists (NAPE), Institute for Culture and Ecology (ICE); and the Gaia Foundation.