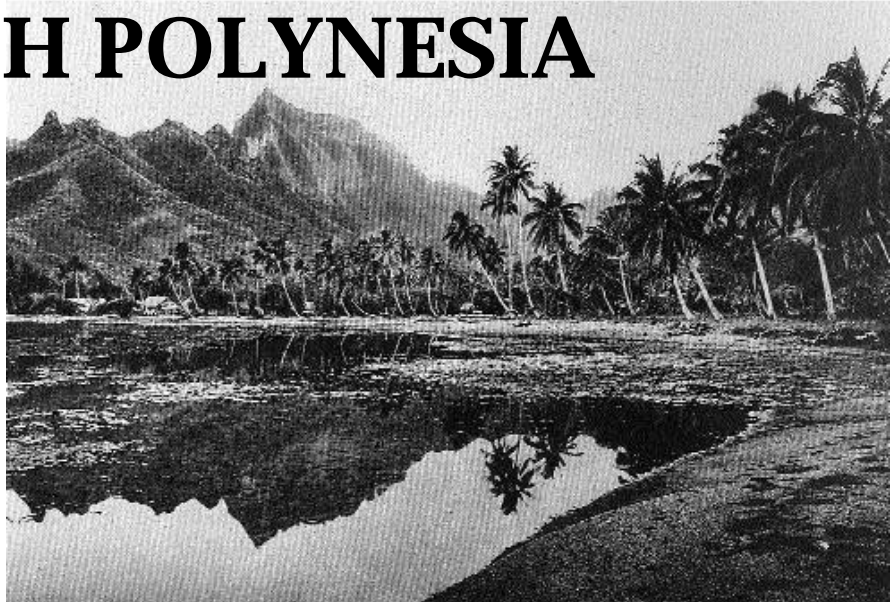


FRENCH POLYNESIA

An assessment of an archaeological excavation in Tahiti, French Polynesia, on a site of contested beachfront land where developers planned to build a hotel. Local residents objected to the project, in part because it was an ancestral burial site.



In 1996, one EAAF member conducted a 10-day mission to Tahiti, in French Polynesia. The objective of the mission was to provide technical assistance to parties involved in a dispute over the future of a site of oceanfront land. International investors had bought the site, and were intending to build a large hotel complex on it. An association of local residents, supported other sectors of Tahitian society, opposed the project, and occupied the site for three and a half years until French gendarmes forcibly removed them in January 1996. One of the association's main arguments against the development was that an ancestral burial grounds was located underneath the proposed hotel site, as human remains had frequently been uncovered at the site. After the association members were removed from the site, the Department of Archeology of the Polynesian Center for the Human Sciences conducted an archaeological excavation on the site.

EAAF was invited by the local association to conduct an independent scientific assessment of the archeological research at the site. EAAF member Mercedes Doretti and Gustavo Politis, an Argentine archaeologist invited by EAAF, traveled to Tahiti from March 14th to March 24th, 1996, and conducted further research by telephone during the following months. Travel costs were covered by human rights NGOs. The World Archaeological Congress offered its support to the mission.

The Dispute over the Tetaitapu/Rivnac Site

The disputed site was a 4.5 hectare area that included a stretch of sandy beach bordering a lagoon, and a park-like space with stands of coconut trees inland from the beach. It was one of the few places on the Western side of the island of Tahiti where residents could access the beach, and local families, schoolchildren, the elderly, and patients with mental illnesses used the site extensively. The site was referred to both by the Tahitian name Tetaitapu and the European name Rivnac.

Although local residents used the Tetaitapu/

Rivnac site, a number of private owners held legal title to it. In 1960, the separate parcels of land which comprise the current site were bought up by a private development company owned by several corporations and government agencies. The development company, led by Club Mediterranean, intended to build a hotel on the site. The hotel was never built, however, and title to the land passed to a French government agency, and then to the Territorial Government of Polynesia, with the stipulation that the Territorial Government use it for touristic purposes.

In the early 1990s, a French multinational corporation and several private investors acquired from the Territorial Government a long-term lease to the site, on the condition they build a hotel of at least 200 rooms there. The new owners also obtained tax and financial incentives and a maritime concession to build a raised platform over part of the lagoon. The

local residents of what had in effect been a very important public resource. Second, more than 50 local families derived their livelihood from fishing in the lagoon, and would undoubtedly suffer as the development disrupted fish stocks. And third, local residents claimed that the site was an ancestral burial ground, and that the hotel would be built over the graves of their ancestors.

The Association first demanded a referendum on the development, and subsequently requested a one-year moratorium, during which a comprehensive impact study could be conducted and alternatives to the project be publicly discussed. It also suggested other possible locations for a hotel complex, and proposed classifying the Tetaitapu/Rivnac as an historical site. Both the Territorial Government and the private developers rejected these proposals.

In response, in June 1992 the Association members occupied the Tetaitapu/Rivnac site. Their action



Members of the Association demonstrating outside the Tetaitapu/Rivnac compound.

The sign reads: "Do not touch our ancestors. Let them sleep in peace."

legal transactions by which the new owners acquired these rights were extremely complex, and several of the parties involved were later charged in court with economic irregularities (*abuse de bien social*).

The people living near the site learned about the proposed hotel development project in June 1992, and formed an association, now known as Paruru Tetaitapu e o Nuuroa, to oppose it. The Association members emphasized that they were not against all tourist development, but opposed this particular project for three specific reasons. First, the site was one of the few areas in the region with public beach access, and the hotel development would deprive

received broad support from political parties, religious organizations, unions, NGOs, and citizens from other regions. Although the courts declared the occupation illegal, protesters remained at the site for three and a half years. The situation changed, however, shortly after Jacques Chirac was elected President of France. On January 17, 1996, French gendarmes raided the site, forcibly removing the protesters. They closed the site to the public, and build a 2.5m metal fence around the area to prevent unauthorized access to the area.

Almost immediately after this occupation, in late January 1996, the Department of Archaeology of the

Polynesian Center of Human Sciences began excavating at the site. The excavation was apparently a rescue operation, intended to retrieve human remains and remove them from the area. It was evidently supported by the owners of the Tetaitapu/Rivnac site, the Territorial Government, and the gendarmes. The excavation was discontinued near the end of March, 1996. At that time, it appeared that construction on the hotel was about to begin shortly.

EAAF was requested by the Association to conduct an independent assessment of Department of Archaeology's excavation. While in Tahiti, EAAF members interviewed many different parties to the dispute, including Association members, civil servants and government officials, and a New Zealand-born archaeologist working at the excavation site. After leaving Tahiti, we conducted several other interviews by telephone, including two extensive conversations with the Director of the excavation, Ms. Maeva Navarro. All in all, some eighteen (18) interviews were conducted. Unfortunately, we were unable to gain access to the Tetaitapu/Rivnac site, but we observed the area from an adjacent property, and we attended several demonstrations outside the site organized by the Association.

Through this research, EAAF established that the plan for the excavation was designed by Ms. Navarro and presented to the hotel developers on August 10th, 1992, shortly after the Association occupied the Tetaitapu/Rivnac site. This plan proposed that an archaeological team conduct soundings and open trenches to determine the extent of the burial site and the locations of other concentrations of archaeological vestiges. The team would then excavate and remove the sepultures threatened by the construction of the hotel, leaving the others in situ.

According to Ms. Navarro's account this plan was largely carried out during the 1996 excavation. Test trenches were dug, concentrated in a talus area bordering the beach that extends some 20 meters inland. Seventeen (17) skeletons were exhumed during the excavations, of which fifteen (15) appear to correspond to the "contact" period, approximately two centuries ago, one to the pre-European period, and one to the twentieth century. All seventeen skeletons were removed from the ground and placed in boxes in a temporary storage room on the Tetaitapu/Rivnac site. Many other sepultures remain, buried at an average of 1.5m below ground level. All are individual sepultures, aligned in a pattern consistent with a cemetery. The archaeological

team did not believe that the burial site extended beyond the talus area. However, an older archaeological site lies under the layer of sepultures; it may now be largely eroded or covered by water.

Although human remains were buried all along the west coast of Tahiti, the grave site is one of the last remaining locations where the bodies are still in situ. Ms. Navarro had previously testified before a government commission that the site may be the burial grounds of former chiefs. At the time of the inquiry, however, the researchers had not been able to identify the precise nature of the burial grounds.

Ms. Navarro reported that the developers have altered their plans on the basis of the excavation findings. According to the new plan, the hotel would be smaller, and no construction would take place on the talus area. She said the developers also accepted her recommendation that a retaining wall be constructed between the talus and the beach to prevent further erosion of the burial site. However, the developers have not made their new plan public, and a number of obstacles complicate its implementation. These include the possibility that the developers' tax benefits would be altered, the likelihood that the developers would need a new construction permit, the legal restrictions contained in the agreement through which the present owners acquired the land, and the difficulties of finding a location for the hotel swimming pool.

Relations between the archaeological team and the Association are strained. The Association sent a legal questionnaire to Navarro when the excavation began, asking about the proceedings. Navarro refused, suggesting instead an informal meeting, which never took place. Navarro told EAAF that the Association is critical of her work because removal of the sepultures from the site robs the Association of one of its most potent arguments against the hotel development. Ms. Navarro stated that in her opinion the Association had not initially seen the presence of a burial ground at the Tetaitapu site as a central concern, and had emphasized it only after they realized its utility as an argument against development in the area. She agrees, however, that the burial site is of considerable archaeological significance.

The archaeological team itself was working under conditions which were less than ideal. One anthropologist working for the Polynesian Center for Human Sciences who vocally opposed the project was fired from his post; he fought his dismissal in court and won the case. Ms. Navarro herself was targeted for criticizing some of the proceedings; several years before the excavation the Polynesian

Center reprimanded her, and the Territorial Government initiated a legal suit against her.

The Tetaitapu/Rivnac site has not been designated as an historic site, and as such has no legal protection under local legislation. The Association strongly advocated for such a designation, but the state Commission that recommends such classifications has refused to act, despite considerable evidence that its members are aware of the site's archaeological significance. Critics have charged that the Commission members are under pressure from the local government not to intervene in the case. The Territorial Government's Ministry of Culture has also refused to support special designation of the site.

Conclusions

The team concluded that the Association has legitimate concerns about the way that the proposed hotel development may affect the burial grounds. The antiquity of the site has been established through the excavations; the bodies buried at the site were probably inhumed in several episodes, beginning before European contact and continuing into the twentieth century. Although no biological link between the persons buried at the site and the residents currently living in the area has yet been established, it is highly probable that the current residents of the site have inherited the cultural heritage of the persons buried at the site. Thus, in a cultural sense at least, the Association's claim that the persons buried at the site are their ancestors is correct.

However, the excavation of the Tetaitapu/Rivnac site finally took place without the consent and against the will of large sectors of the local community whose cultural heritage is under investigation. Even the channels of information between local residents, archaeologists, developers, and the government have been inadequate. The excavations, moreover, have been conducted under highly unusual circumstances, as the site is closed to the public and guarded by gendarmes. These conditions clearly contravene the World Archaeological Congress' Code of Ethics, which holds that: "Members [archaeologists] shall negotiate with and obtain the informed consent of representatives authorized by indigenous people whose cultural heritage is the subject of the investigation;" that "Members shall ensure that the authorized representatives of the indigenous people whose culture is being investigated are kept informed during all stages of the investigation;" and that "Members shall not interfere with and/or remove human remains without the expressed consent of

those concerned."

The solution to the dispute proposed by the Archaeology Department may protect the sepultures, but it presents three major problems. First, even if the developers' revise their plan, the burial ground will become a garden and beach access for an international hotel, a situation which Association members do not consider respectful or satisfactory. Second, the Association's consent was not obtained in the discussions that led to this proposed solution. And third, the solution does not guarantee the protection of the sepultures in the long term, since the sepultures are protected only by the good will of the developers, rather than by law.

EAAF recognizes that the circumstances under which the archaeologists are working are difficult. The members of the excavation team were aware of the official support for the project, and the consequences that could result from opposing it. Moreover, several members of the excavation team were not Tahitian citizens, and therefore have fewer rights in the country. Despite these circumstances, however, EAAF's believe that considerations of archaeological practice should not prevail over the rights of the indigenous community, nor should political pressures overrule the respect due to these communities.

Accordingly, EAAF recommended that the Tetaitapu/Rivnac site be preserved and legally protected, and that the local community be fully involved in all future decisions concerning the site.

A complete report was prepared and given to the Association by Doretti and Politis. In it, the authors analyzed the issue with respect to local legislation, other countries' laws, and international treaties concerning the preservation of burial sites, the rights of indigenous peoples, and the role of archaeologists.

Update

The hotel was eventually built on the Tetaitapu/Rivnac site, and was opened for business in July 1998. Several of the parties involved in the transactions through which the site passed into the developers hands were convicted in court and sentenced to jail terms. They are currently appealing the convictions.

37^{ème} année

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TAHITI NEWS

la Cour

EPILOGUE D'UNE VIEILLE AFFAIRE

P. 2

EVACUATION DU TERRAIN RIVNAC À PUNAAUIA

Hier matin, dès l'aube, deux escadrons de gendarmerie mobile ont encadré une opération de nettoyage du terrain Rivnac à Punaauia. Le terrain a été ensuite clôturé. A cet emplacement doit être construit un complexe hôtelier de 150 chambres.



Hôtel Méridien Pointe Rivenac à Punaauia

LES POUR ET LES CONTRE

En dernière heure, hier soir, le tribunal des référés a été saisi par les promoteurs et a rendu son arrêt. L'association Iaora Nuuroa (contre) doit quitter les lieux pour occupation illégale du terrain.

Les Nouvelles de Tahiti

Mardi 22 mai 1995 7

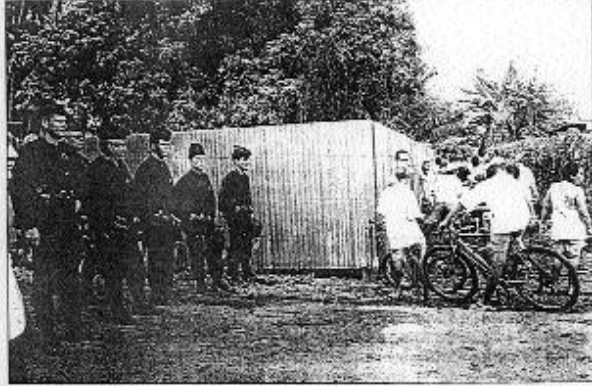
DOMINIQUE PERBEN: QUESTIONS-RÉPONSES AVEC LES EMPLOYEURS

"On ne demande pas à un gendarme mobile de régler un problème culturel!"

2^e Lundi 22 janvier 1996

RIVNAC

Sous la houlette de l'association « **Paruru ia Tetai Tapu e o Nuuroa** »,



Puis d'une centaine de manifestants, essentiellement des riverains, étaient présents samedi matin pour manifester devant le complexe hôtelier.



Depuis samedi matin, les riverains dérogent d'un accès public à la plage.



Quelques discours ont été prononcés par des opposants sur la plage.

Les Nouvelles de Tahiti

Des riverains

Malgré la dernière conviction de protester permise depuis samedi matin en accès public à la plage, l'association des riverains n'est formée... (text continues)

Les militants de l'association « Paruru ia Tetai Tapu e o Nuuroa »... (text continues)

Janvier 95 : une situation bien différente

Le nouveau projet du Méridien semble avoir substaté une partie des opposants de l'époque. Rick A une

vérité de conviction de la part de... (text continues)

À la suite des élections locales... (text continues)

Les militants de l'association « Paruru ia Tetai Tapu e o Nuuroa »

JEAN-BAPTISTE CÉRAN JÉRUSALEMÍ EST FERMEMENT OPPOSÉ AU PROJET

Membre de l'Union polynésienne de l'Hôtelier, il explique son opposition à l'Hôtel Méridien.

Il n'y a rien de plus important... (text continues)



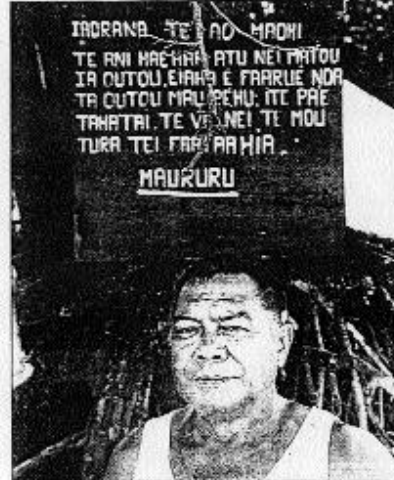
Jean-Baptiste Cérán Jérusalémy de l'Union polynésienne de l'Hôtelier se montre fermement opposé au projet.

déterminés

près d'une centaine de riverains ont manifesté dans le calme samedi matin



La contestation se situe essentiellement sur le terrain culturel.



Gilbert Robert est le président de l'association « Paruru le Total Tapu et o Naoao ».

JEAN-MARC PAMBRUN : « COLÈRE ET DÉPIT »

Membre de l'association « Paruru le Total Tapu et o Naoao », Jean-Marc Pambrun a répondu à nos questions sur le projet Rivac.

... les riverains, avez-vous réagi en appui aux le débat des travaux ?

Jean-Marc Pambrun - Un sentiment de colère, de dépit, j'en conviens. Ce n'est pas de plus que c'est le pouvoir de l'argent qui gouverne et domine.

UNOI : Certaines de vos revendications n'ont-elles pas été prises en compte ?

Jean-Marc Pambrun - L'association Paruru le Total Tapu et o Naoao a pu constater que toutes ses demandes, revendications et arguments n'ont pas été entendus. On y voit même au un accord, 200 000 francs, mais on n'a rien obtenu. On n'a rien obtenu sur place. Dans cette affaire, on constate de plus en plus l'importance de la Communauté des Élus et surtout du grand air.

UNOI : Que pensez-vous aujourd'hui de l'attitude des politiciens qui vont voter demain ?

Jean-Marc Pambrun - Un parti politique a toujours été une classe dirigeante et une partie qui doit avoir une certaine conscience. Les actions des élus, les décisions se prennent, beaucoup profitent de la situation.

La mobilisation d'aujourd'hui ne sera pas celle de demain, celle des prochains de demain.



Jean-Marc Pambrun, comme il y a trois ans, est au centre de cette affaire.

Etait-il dans leur droit, certains riverains à mobiliser leur opposition au projet. De décevoir regard sur certains événements déterminés à faire échouer le projet Rivac.

La contestation se situe essentiellement sur le terrain culturel. Les différents événements, notamment dans des zones touristiques, découverts en 1983 à la suite d'un phénomène d'urbanisme, semblent remettre en évidence le caractère d'un complexe.

Paruru le Total Tapu (UNOI) a été créée en 1983 à la suite d'un phénomène d'urbanisme, notamment à la suite d'un phénomène d'urbanisme.

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Plusieurs hommes politiques, notamment apparus au projet à y a trois ans, ont été au centre de la contestation.

Les gendarmes mobiles surveillent la zone.

Copieur TOSHIBA

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