

Terry A. Sloan

Statement the UN 15<sup>th</sup> Session of the Permanent Forum on Indigenous Issues  
2016

*PF16 Terry Sloan*  
*Mr. Pot.*  
*Thank you for the opportunity to speak to the world's indigenous people.*

Ya'at'eeh ~~ahini~~ Brothers and Sisters, Mr. Chair and members of the Permanent Forum, my Name is Terry Sloan, I am of the Navajo and Hopi tribes which reside in the Southwestern United States, I am born of the Keyah anni – Towering House Clan and born for the Toh adlini – Water flows together clan, and I am a descendent of Hopi Chief Loloma, ~~who is~~ my great great grandfather. *and I am the nephew of a former Hopi tribal chairman. Version 11/24/15 SVL.*

Ecocide – Ecocide is the destruction of large areas of the natural environment by such activity as nuclear warfare, overexploitation of resources, or dumping of harmful chemicals, especially as a result of deliberate human action. Ecocide Law - is a potentially new international law, which if implemented, would make damage and destruction of the environment a crime against peace. The United Nations had studied the potential use of an Ecocide Law in the 1970's, 80's and 90's and is now seeing a revitalization by International Lawyer and ~~Barister and~~ award winning author Polly Higgins. This potential new international law would criminalize Ecocide.

On August 5, 2015, the United States Environmental Protection Agency was conducting an investigation of the Gold King Mine near Silverton, Colorado, to assess the on-going water releases from the mine, treat mine water, and assess the feasibility of further mine remediation. Contracted Workers for the EPA accidentally destroyed the plug holding water trapped inside the mine, overflowing the pond, and spilling 4 million gallons of mine waste water and tailings, including heavy metals such as cadmium and lead, and other toxic elements, such as arsenic, beryllium, zinc, iron and copper into Cement Creek, which is a tributary of the Animas River in Southern Colorado. The toxic waste then spilled into the Animas River, the San Juan river and ultimately into the Colorado River, which millions of people rely on for farming and drinking water. This spill turned a beautiful river I swam and fished in a bright yellow, ~~which many referred to as the drink mix Tang.~~

The EPA did not warn Colorado, New Mexico and the Navajo Nation until the day after the waste water spill, despite the fact the EPA employee <sup>Senior</sup> in charge of Gold King Mine knew of the blowout risk."

The EPA has taken responsibility for the incident, and the governor of Colorado had declared the affected area a disaster zone. The spill affects waterways of municipalities in the states of Colorado, New Mexico, and Utah as well as the Navajo Nation. As of August 11, 2015 acidic water continued to spill at a rate of 500–700 gallons per minute while minimal remediation efforts were underway by the EPA.

The Spill contaminated hundreds of miles of farming land going through the Navajo Reservation, where all agriculture was considered a loss for the year. In addition, the river ~~was~~ unusable for drinking water and livestock and many Navajo still continue to refuse to use the water for fear of the long term health consequences of consuming these toxins. This is a violation of Article 29.

As of today the EPA has really done nothing to clean up this Environmental Disaster, nor has it provided the monetary assistance it said it would provide to my People of the Navajo Nation.

This environmental disaster does not include the oil and gas fracking activities that have consumed North ~~East~~ New Mexico that includes the Navajo Reservation, where in some instances these Fracking units are so close to Navajo Schools, that during the day they have to close windows and doors to escape the stench of toxic

chemicals in the air. This fracking activity is also beginning to endanger the Chaco Culture Historical Park, a UNESCO World Heritage Center, where my Puebloan ancestors once resided. The U.S. Bureau of Land Management in conjunction with the Governor of New Mexico, have allowed and continue to approve gas exploratory leases that will further contaminate this Historical area. A violation of Article 11 and 31. *-file*

On July 16, 1970, the Church Rock, Navajo Nation New Mexico, Uranium Mine Spill occurred where the United Nuclear Corporation's Church Rock uranium mill tailings disposal pond breached its dam spilling over 1,000 tons of Solid Radioactive Mill Waste and 93 million gallons of acidic, radioactive tailings which flowed into the Puerco River where the contaminants traveled 80 miles to Navajo County Arizona and onto the Navajo reservation. Local Navajo residents used the Puerco river for irrigation and livestock and were not immediately made aware of the toxic danger from the spill. Cancer related to this radioactive contamination is high in the Navajo Communities that are affected by this spill. This ecological disaster is often described as having released more radioactivity than the 3 Mile Island accident. The spill contaminated groundwater and rendered the Puerco river unusable. At that time the New Mexico Governor refused the Navajo Nations request to declare the site a federal disaster area, which then limited aid to affected Navajo residents. Today, the Community of Sanders, Navajo Nation Arizona's ground water source was declared contaminated with Uranium and other toxins in August 2015 and is now undrinkable.

Bolivian President Evo Morales stated in his statement at the Paris Climate Agreement signing ceremony on April 22 of this year, that "we need Laws that enforce and punish those that violate the agreement and threaten the environment".

In closing, Mr. Chair I would like to recommend that this body, send the Special Rapportuer to follow up and monitor the Gold King Mine Spill and the Church Rock Uranium contamination, report on or survey the status of these environmental catastrophes and the various Declaration violations, and further research the study of Ecocide Law to bring legal "teeth" to the Secretary General, Ban Ki Moon's Climate Change and Environmental Agenda, which would protect our land, water, our people and Mother Earth. Ahee'hee, Thank you.