



SOVEREIGN DINEH NATION

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Statement by: Sovereign Dineh Nation (SDN)

First Session, United Nations Headquarters, New York City, May 13 to May 24, 2002

Agenda Item: 6. Review of the activities of the UN system

Theme: Human Rights

Mr. Chairman and distinguished members of the Permanent Forum, Thank you for allowing Sovereign Dineh Nation to take the floor today on an issue that is integral to indigenous peoples of the world. My name is Marsha Monestersky and I serve as Consultant to Sovereign Dineh Nation, Program Director of the NGO Human Rights Caucus and member of the NGO Energy Caucus at the UN Commission on Sustainable Development. I wish to speak to you on behalf of the Dineh, traditional Navajo indigenous peoples living in Big Mountain and other resisting communities in the U.S. who could not be with you here today but offer blessings for your good work. It is with a sense of loss we acknowledge the passing of Roberta Blackgoat, a Dineh matriarch who traveled to the UN and worldwide and Arlene Hamilton, a human rights activist. Both remarkable women worked tirelessly to stop the forced relocation of the Dineh people by the U.S. government.

Mr. Chairman, we wish to remind you of the urgency of our times. Over 12,000 Dineh people have been forcibly relocated from their ancestral land by the U.S. government. Despite a growing concern about human rights worldwide, the U.S. government is perpetuating human, political, cultural, social, economic and civil rights violations against the few thousand Dineh that remain. In an attempt to relocate the Dineh, the U.S. government's Bureau of Indian Affairs (BIA) is bulldozing homes, ceremonial hogans (churches), sacred ceremonial and religious sites like the Sun dance grounds in Big Mountain. The BIA has also bulldozed and capped off the drinking and livestock water sources in the region, denying 6,000 Dineh people access to water in a desert environment.

Despite a growing concern about global climate change, the current Chairman's Report of the UN Commission on Sustainable Development promotes the use of fossil fuels. The U.S. withdrew from the Kyoto Protocol. Lobbying by utility companies is undermining pending lawsuits against polluters. In Dineh Nation, multi-national corporations, Lehman Brothers and Enron Corporation are depleting and contaminating the sole source aquifer of the Hopi and western Dineh peoples. Increased use of this endangered aquifer is being used as collateral to ensure a continued supply for Peabody Coal Company to transport coal and to meet future water needs by Reliant Energy for a proposed coal-fired power plant on land Dineh were evicted from by the U.S. government. An estimated 20 billion tons of high grade, low-sulfur coal lies beneath the ground.

Dineh sacred land is being expropriated by multi-national corporations operating in collusion with the U.S. government to provide energy for far-away cities. Indigenous peoples living in the region have no rights, no electricity, no water, and are told they are trespassers on their own land. Mr. Chairman, for indigenous peoples, human rights and the environment are interlinked. For indigenous peoples land is life.

Mr. Chairman, most traditional societies are not based on private ownership of land and other basic resources. Often taking steps in favor of indigenous peoples can be in direct conflict with a government's economic interests, especially in the U.S. where indigenous peoples are most adversely impacted. When will this end? It is for this reason, Mr. Chairman, we wish to make the following specific recommendations and urge you to:

- Obtain UN, inter-governmental, and private funding to ensure the work of a fully functioning Secretariat and for travel funds to facilitate indigenous participation in meetings of the Permanent Forum.
- Establish a set of principles and define an aggressive set of rights for indigenous peoples that can be incorporated into a convention approved by UN member states. We urge you to seek ratification by the UN member states to give the Forum greater power in the enforcement of a broad range of issues affecting indigenous populations in a meaningful way.
- Evaluate how indigenous peoples in developed countries like the U.S. can have access to the UN because in the past indigenous peoples in the U.S. have been tossed into the domestic policy arena.
- Respect land rights. Indigenous peoples suffer world-wide from the expropriation of their land, land that many indigenous nations and peoples do not have individual title to since the tribal governments legally manage the collective title. For land title, a new definition is needed that protects the rights of individuals in a collective-ownership society and which includes customary family use areas. For families, multi-generational use of land should be respected with the same protections given to private property collective lands.
- Protect resources traditionally shared as part of the community, such as shared grazing lands, the rights of individuals who need continued access to the land for the traditional purposes should take precedence over the right of the government to use the land for other purposes that would make traditional use impossible.
- Honor areas of religious significance. A site with religious significance which has been traditionally protected within the tribe, cannot be expropriated by a government for uses that would conflict with the religious stewardship.
- Preserve water rights. The national and/or tribal governments must preserve water rights so as to ensure sustainable access to this resource for traditional uses, and be protected as a right not a commodity.
- Enforce environmental or other rights. Indigenous people should never be allowed less protection than that given to non-indigenous members of a nation. Environmental rights need to be broadened when traditional religious beliefs impose a higher standard of stewardship than is necessary in non-indigenous society.
- Create a definition of individual rights that cannot be compromised by any national or tribal government. Since indigenous life is interwoven with the land, land rights need to be included in the definition of fundamental human rights rather than being treated as a property right as is done in non-traditional societies.

In conclusion, Mr. Chairman, the time is very late. According to Dineh prophecy the consequence is the destruction of all life on earth. Continued refusal by governments to respect indigenous sovereignty and humanity is ecogenocide brought about by the destruction of ecological systems on which indigenous peoples depend for their livelihood and their very survival. Mr. Chairman, your challenge will be in identifying how to make the UN system work for indigenous peoples - for the Dineh in the U.S. and throughout the world.

LAND for indigenous peoples IS a pre-condition for existence.

Thank you.