

EMOG Duane 084



THE NAVAJO NATION
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Implementation of the Declaration on the Rights of Indigenous Peoples at the Regional and National Levels and Compensation and Redress

Madame Chair, honorable members of the Expert Mechanism on the Rights of Indigenous Peoples, respected representatives of indigenous peoples, greetings from the Navajo Nation. My name is Duane H. Yazzie and the Chairperson of the Navajo Nation Human Rights Commission.

First, I would like to introduce myself in the Diné way: my maternal clan is Ashiíhi (Salt Clan) and my paternal clan is Tohaheedliini. My paternal grandfathers are Tacheeni and my maternal grandfathers are Kinyaa'aani.

On behalf of the Navajo Nation Human Rights Commission and the Navajo Nation, I would like to thank you for providing me this opportunity to speak on the implementation of the United Nations' Declaration on the Rights of Indigenous Peoples ("U.N. Declaration") and how the U.N. Declaration can enshrine the protection of indigenous human rights.

The Navajo Nation has experienced some success but more often has face difficulties implementing many of the international human rights standards and laws in the United States of America. As the United States has stated to this honorable forum that it already recognizes the right to self-determination of indigenous peoples, the Navajo Nation will have to object to the report. Although the right to self-determination has good intentions, the United States attaches several provisional restrictions. For instance, in order to accept financial assistance the Navajo Nation is subjected to waive its sovereignty over various affairs of internal matters.

If self-determination was true self-determination, the United States would permit the Navajo Nation to implement programs and services without conditions and pre-existing standards that the Navajo Nation must achieve. Although direct funding from the United States to the local Navajo communities increased the number of Navajo children achieving high academic standards, the United States requires a cookie cutter

arrangement for Navajo education which diminishes the Navajo Nation's inherent right of self-determination.

While the United States government has worked with the Navajo Nation on a nation-to-nation, and government-to-government basis, the relationship has often been reduced to imposing statutes that are intended to subject the Navajo Nation to answer to the United States government. For instance, the Navajo Nation challenged the United States government's unfair dealing when it renegotiated the mineral leases with transnational corporations, the United States Supreme Court found it necessary to not address the Appeal Courts' decision that the Navajo Nation was unfairly treated.

Also while the Navajo Nation has an inherent responsibility and duty to remain on and care for the land where we were placed by our Creator, many Navajos and Hopi were forcibly removed from their traditional homelands as a result of the federal Navajo Hopi Relocation Act. It is in the Navajo Nation and the Navajo Nation Human Rights Commission's best interest and welfare to protect its citizens, especially its elders from abuse, neglect, mistreatment, exploitation, and other forms of discrimination.

To achieve full redress for the affected Navajo people, the Navajo Nation and United States must take on this insurmountable issue. Both the Navajos and Hopis that have been forcibly relocated will never be able to return to the full enjoyment of their livelihoods. Presently, the Navajo Nation Human Rights Commission continues to receive written complaints from its people regarding the violation of their rights to religion, resources and lands.

In a paper entitled "Some Considerations on the Right of Indigenous Peoples to Self-Determination" by Dr. Erica-Irene A. Daes, she noted that that "[i]ndigenous peoples are unquestionably 'peoples' in every social, cultural, and ethnological meaning of this term." In addition Dr. Daes also notes that indigenous peoples are, in most cases, not active participants in the development of their affairs in the country where they live.

Therefore, unless United States recognizes the importance of fully implement the recognition of Article 3 in the U.N. Declaration, the Navajo Nation will continue to be shackled by the rules and regulations imposed by the United States. I would like to recommend that the Expert Mechanism on the Rights of Indigenous Peoples analyze the implementation of Article 3 of the U.N. Declaration.

The Navajo Nation would also like to recommend and seek special recognition by the United Nation systems since the Navajo Nation is neither a member state nor a non-governmental organization. While one hundred and forty-six (146) states recognizes the right of indigenous peoples to self-determination and self-governance, the Navajo Nation finds it necessary be to recognized and have special status as a permanent observer in the United Nations systems.

Thank you.