



**THE NAVAJO NATION**  
Window Rock, Navajo Nation (AZ)  
USA



2<sup>nd</sup> Session of Expert Mechanism on Rights of Indigenous Peoples  
Geneva, Switzerland  
August 10, 2009

**COMMENTS ON THE REPORT OF THE EXPERT MECHANISM ON THE  
RIGHTS OF INDIGENOUS PEOPLES**

Madame Chair, honorable members of the Expert Mechanism, respected representatives of indigenous peoples, greetings from the Navajo Nation. My name is Rex Lee Jim. I am a member of the Navajo Nation Council, the Legislative Branch of the Navajo Nation government.

The Navajo Nation would like to endorse the report issued by the Expert Mechanism A/HRC/EMRIP/2009/2 (herein referred to as "Report") as an "interim report." While the report is in line with the situations that currently exist on the Navajo Nation, we believe there is a need for a continuing and more comprehensive study.

The Report points out the challenges faced by indigenous peoples in regards to exercising the rights to education. As a self-governing sovereign nation, the Navajo Nation strongly recommends first and foremost that we ourselves educate our own children by defining education in our own terms. In Navajo, we have developed our own laws & policies regarding education and our own curriculum that is based on our culture, history, literature and language.

In July 2005, the Navajo Nation exercised its right to self-determination by enacting the "Navajo Sovereignty in Education Act of 2005." It is important that the United States and its entities that work with Navajo education respect these laws & policies. States elsewhere also need to respect like indigenous laws & policies where they exist.

When needed, the Navajo Nation can come to an agreement with the United States and its agencies whereby our respective laws & policies can compliment one another in order to offer the best education for our children. Access to education must not mean access to a curriculum that would further the

acculturation of our people. The Navajo Nation continues to insist on exercising to the fullest extent its right to self-determination as it relates to our right to education.

The Navajo Nation supports the conclusions reached in the Report and shares the same challenges regarding the lack of independence over the education on the Navajo Nation as it relates to state funded schools. Moreover, the Navajo Nation agrees with the Report in which it states the disparity in financing education on indigenous lands and territories.

The Navajo Nation, as a self-governing sovereign nation, has repeatedly raised concerns with the United States on the deficiencies between the funding levels for state & private education systems and the Navajo Nation educational system. For every U.S. dollar appropriated for state & private schools, the Navajo Nation receives less than one-half of the funding.

The Navajo Nation also would like to know what would become of the report when it is completed.

The Navajo Nation invites members of the Expert Mechanism on the Rights of Indigenous Peoples to visit and study the Navajo Nation educational system as a case study. Despite limited resources, the Navajo Nation was able to develop its own curriculum to educate Navajo people.

We have a Navajo Department of Education, K-12 programs and our own colleges that are operated by elected or appointed Navajo board members and administration. In many cases, the United States directly funds these institutions. The Navajo Nation has been successful in certain areas and has failed in other areas but is always willing to share what works and what does not as an exercise of our right to education.

In conclusion, the Navajo Nation commends and thanks the Expert Mechanism on the Rights of Indigenous Peoples for their Report. Again, we recommend that the Report be accepted as an "interim" report in order to facilitate additional reports and studies on "lessons learned and challenges to achieve the implementation of the right of Indigenous Peoples to education."

Madame Chair, thank you for the opportunity to speak.