



Office of the Navajo Nation Human Rights Commission

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Navajo Nation files petition with the Inter-American Commission on Human Rights against the U.S. Federal Government for violations of Navajo Human Rights

St. Michaels, Navajo Nation— With no legal remedies under United States law for the protection of Doko’o’osłiid, also known as the San Francisco Peaks, north of Flagstaff, Arizona, the Navajo Nation has filed a petition with the Inter-American Commission on Human Rights against the United States government for violating the Navajo people’s human rights. The Commission is the principal organ of the Organization of American States (“OAS”) whose mission is to promote and protect human rights in the American hemisphere. The United States has been a member of the OAS since 1948, and has agreed to abide by the American Declaration of the Rights and Duties of Man, a central human rights instrument of the OAS.

The petition addresses the violation of the Navajo people’s rights to religion, culture and judicial protection by the use of reclaimed wastewater for snowmaking for a commercial ski operation on the San Francisco Peaks, a site sacred to the Navajo. Anthony Lee, President of the Diné Hataałii Medicine Men’s Association states; “The sacred sites are continually being threatened and also desecrated and exploitation is taking place.” Lee further notes the delivery of treated sewage effluent or “reclaimed wastewater” is “all being done for the owners of the ski resort and they have a direct interest.”

The San Francisco Peaks are sacred to the Navajo people and 13 other southwest tribes. Navajo medicine people believe the use of the reclaimed wastewater destroys the spiritual purity of the vegetation that grows on Doko’o’osłiid and the herbs they gather for ceremonies. Lee further describes the ritual properties of Doko’o’osłiid; “it’s included in the medicine bundles and that is core of our concern. It’s inherent and it’s omnipresent in the medicine bundles.”

The Navajo Nation learned that the City of Flagstaff terminated the 5-year reclaimed wastewater renewal agreement with Snowbowl and replaced it with a new 20-year agreement from news accounts. The City of Flagstaff did not give any notice of the new agreement to the Navajo Nation, nor did it allow an opportunity for consultation or public comment.

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Henry Barber, President, Diné Medicine Men's Association, states "We want the United States to respect our spiritual beliefs and business entities should also have respect for us (Navajo people) to continue our spiritual beliefs." Barber has very strong concerns about the effects of United States laws on Native American sacred sites and religion, noting, "With the federal laws we want them to respect our spiritual beliefs in our perspective and to have freedom to practice, to continue our beliefs." Barber further stated that the Navajo people's human rights are not protected and respected by "the federal government which is very much being denied by commercialization and polices" This is why, he says, the Diné Medicine Men Association believes filing the petition with the Inter-American Commission is appropriate and absolutely necessary.

The petition with the Inter-American Commission on Human Rights gives the Navajo Nation and its people a voice in the international realm to express their serious concerns respecting the lack of interest by the federal government to hear the Navajo Nation when it comes to sacred sites. "We have the obligation to take care of what was given to us by Diyin Diné." said Steven Benally, President of Azee Bee Nahagha of Diné Nation. Benally further states "there is a saying our grandfathers and grandmothers tell us that we 'should not lose hope' and there's always an opportunity to do something for ourselves and we have that chance." Benally noted Navajo are resilient and have the hope that the outcome of the petition will allow for redress from the United States respecting the human rights violations.

The Navajo Nation Human Rights Commission has also engaged with UN treaty monitoring bodies and the UN Human Rights Council in hopes of further strengthening protection of Navajo human rights in the United States of America.

"The US needs to take full responsibility by committing to protect Navajo human rights in accordance with its obligations under the OAS Charter," said Leonard Gorman, Executive Director of the Navajo Nation Human Rights Commission.

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