



NAVAJO NATION HUMAN RIGHTS COMMISSION

P.O. Box 1689
Window Rock, Navajo Nation (Arizona) 86515
Phone: (928)871-7436 Fax: (928)871-7437
www.nnhrc.navajo-nsn.gov

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Media Contact: Rachele Todea
rtodea@navajo-nsn.gov

NNHRC opposes groundwater use for artificial snowmaking on Dook'osliid

ST. MICHAELS, Ariz.—The heart of the issue is the infringement of indigenous human rights in the matter of religious freedom stated a Navajo human rights official about the off- course legislation set for a vote by the Navajo Nation on Thursday, December 22, 2011, in Window Rock, Navajo Nation.

The Navajo Nation Human Rights Commission opposed Honorable Walter Phelps' Legislation No. 0420-11, 3-0, on November 4, 2011, to send a responsible consistent message to the Navajo Nation to protect the integrity of Dook'osliid from irreversible adverse effects.

“The [Navajo Nation Human Rights] Commission hereby opposes Legislation No. 0420-11 which supports the use of groundwater to be used to produce artificial snow on the San Francisco Peaks for recreational and economic purposes,” according to NNHRCNOV-09-11 legislation. “The [Navajo Nation Human Rights] Commission further recommends that the Navajo Nation Council continue to support the Special Rapporteur report regarding the San Francisco Peaks and that true consultation – in the context of free, prior and informed consent—occur through procedures of dialogue aimed at a consensus on protecting the San Francisco Peaks from further desecration.”

Hon. Walter Phelps introduced the “groundwater legislation” on October 6, 2011, and it was assigned to the Resources and Development Committee where members narrowly opposed it on October 25, 2011, and to the Náabik'iyáti' Committee of the 22nd Navajo Nation Council set to address it on Thursday, December 22, 2011.

The upcoming groundwater legislation, which has received written public scrutiny, states, “The Navajo Nation believes it is in the best interest of the Navajo People that groundwater rather than reclaimed or recovered-reclaimed water be used to make artificial snow thereby preventing Dook'osliid from being desecrated by reclaimed or recovered-reclaimed water.”

“The council needs to reject this proposed legislation [No. 0420-11],” said Navajo Nation Human Rights Commission Chairperson Duane H. Yazzie. “If it were to approve the legislation, it would send a mixed signal and demonstrate to the world that the Náabik'iyáti' Committee is taking a position that is adverse to the established position of the Navajo Nation Human Rights Commission, the Diné medicine groups, the Hopi Nation, the 10 other Arizona tribes and concerned citizen groups.”

Yazzie continued, “The central question of the issue is our argument that the Snowbowl Ski enterprise and the U.S. Forest Service are infringing on the religious freedom rights of 13 indigenous nations of Arizona. We continue to argue that position and that position must remain at the forefront and not take away from it by discussing what water should be used to make artificial snow.”

“It is also a basic premise that ‘making’ snow is not within the domain of human kind,” said Yazzie. “Instead that is a power reserved by the Creator and we, as Christians or traditional believers to infringe on that power or support it, is a desecration in itself of the highest order.”

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