



## NAVAJO NATION HUMAN RIGHTS COMMISSION

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**U.N. Official Directs Question to the U.S. on Human Rights for Navajo Nation**  
*In Geneva, among the world's leading human rights officials, Navajo Nation Human Rights Commission poses a question about sacred sites to the U.S.*

ST. MICHAELS, Ariz.—Today in Geneva, the U.N. Human Rights Council moderator posed a question to the U.S. delegation on behalf of the Navajo Nation.

Rodney L. Tahe, a policy analyst of the Navajo Nation Human Rights Commission submitted a question by e-mail to the U.S. Department of State through an account designed to facilitate questions at the Universal Periodic Review, the mechanism to review U.N. member states like the United States on their human rights obligations and commitments.

“We were fortunate to be recognized in the international community especially since our office has been in operation for two years,” said Tahe, and continued that “The recognition we gained during that time has been recognized domestically and internationally especially in the United States opening statements in Geneva at the UPR.”

NNHRC was unable to travel to Geneva on the Navajo Nation’s behalf because of budget cuts to pose their questions. The question posed at approximately at 9 a.m. MST was in NNHRCs response titled, “Response to the United States of America Universal Periodic Review National Report to the United Nations Human Rights Council and it was:

“The Commission formally and respectfully request that members of the U.N. Human Rights Council to ask the United States, that the United States is a party to the International Covenant on Civil and Political Rights, Universal Declaration of Human Rights and American Declaration of the Rights and Duties of Man. Regardless of federalism then, why are the rights of indigenous peoples to “freely profess a religious faith, and to manifest and practice it both in public and in private,” not protected by United States federal legislations such as the American Indian Religious Freedom Act of 1978, the Native American Graves Protection and Repatriation Act of 1990, or the Religious Freedom Restoration Act of 1993? That religious faith is embodied and grounded in the [San Francisco] Peaks and other sacred sites.

Larry Echo Hawk, Pawnee, of the U.S. delegation, of the U.S. Department of the Interior said that he could not answer the question directly because his expertise is in domestic issues not international issues.

Though, Dook'o'osliid and other sacred sites are a domestic issue.

Then, after some pause, Harold H. Koh, legal advisor to the U.S. Department of State, said religious rights are upheld with the First Amendment of the U.S. Constitution and made reference to the International Covenant on Civil and Political Rights Article 27.

Article 27 of the Covenant on Civil and Political Rights states, "In those States in which ethnic, religious or linguistic minorities exist, person belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."

"It is rare that the U.S. acknowledges international binding treaty to be applicable on indigenous peoples," said Executive Director Leonard Gorman for the Navajo Nation Human Rights Commission.

Gorman then said, "I'm delighted that the United States of America has recognized that one of the international bills of human rights is applicable to the situation experienced by the Navajo people."

But, in terms of practicing a religious faith in public and private, not being protected with United States federal legislations, why is Dook'o'osliid still facing desecration, was not answered.

Also, earlier today in Geneva at 2 a.m. MST, NNHRC staff members witnessed by a webcast that nearly 56 countries who gave 2 minute statements and recommendations on the U.S. human rights obligations and commitments at the UPR session, about 17 countries supported indigenous rights and requested updates on the U.S. review on adopting the U.N. Declaration on the Rights of Declaration and want the U.S. to adopt the Declaration. Those countries include: Finland, Australia, New Zealand, The Vatican, Japan, South Africa, Iran, Ghana, Libya, India, China, Trinidad-Tobago, Venezuela, Nicaragua, Bolivia, Cyprus and Cuba.

Other countries who posed advanced questions about indigenous rights to the United States include Norway, Germany and Japan. Countries that are on the speakers list at the UPR unable to pose their statements and recommendations this morning will be able to do so on the last day of the UPR.

The UPR is in its 9<sup>th</sup> Session from November 1, 2010 to November 12, 2010 where 16 other countries will be reviewed on their human rights obligations. For more information on the UPR, visit the [www.upr-info.org](http://www.upr-info.org) website.

On November 9, 2010, troikas, three representatives of the U.N. Human Rights Council, will issue a report about recommendations posed by member-states, countries.

NNHRC has the full response available to view or download at [www.nnhrc.navajonnsn.gov](http://www.nnhrc.navajonnsn.gov), click on the news link.

Chairperson Duane H. Yazzie of NNHRC said, “I think the staff of the Navajo Nation Human Rights Commission has done an excellent job in promoting the office at the international level with the UPR process.”

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