Language Culture & Sacred Sites

ROBERT WILLIAMS: WE'RE STILL WAITING FOR JIM WHO IS BEING INTERVIEWED.
WE HAVE A COUPLE OF MINOR DETAILS WHICH I CAN TALK ABOUT.
A COUPLE PEOPLE SUGGESTED WOULDN'T IT BE GREAT TO HAVE VOLUNTARY EMAIL LIST, TO KEEP THE CONVERSATION GOING AND MAINTAIN THE CONNECTIONS. I BELIEVE THERE'S WHITE SHEETS, RIGHT THERE. AND IF YOU ARE WILLING TO PUT YOUR NAME, ORGANIZATION EMAIL, WE WILL GET THEM WORKED UP TO A LIST AND GET IT DISTRIBUTED TO YOU.

>> IS THERE GOING TO BE ACCESS TO PEOPLE'S SPEECHES ON LINE?
I WANT TO THANK THE FUNDERS, -- WE HAVE ALREADY BUILT A WEBSITE. WE HAVE A WEBSITE FOR THE UNITED NATIONS SPECIAL RAPPORTEUR CONSULTATION AND CONFERENCE. WE HAVE BEEN STREAMING ALL THE PROCEEDINGS, YOU NOTICE HOW WE TRIED TO SITUATE THE MICS AND THAT WILL BE PART OF A PERMANENT RECORD.
WE HAVE BEEN TRANSCRIBING THE PROCEEDINGS AND HAVE THE VERBAL TRANSCRIPTS AND WILL MAKE AVAILABLE A WRITTEN TRANSCRIPT.
THERE'S A LINK FOR ALL THE PAPERS ALL OUR EXPERTS PRODUCED, AND THERE ARE ONE OF THE THINGS, WE HAD NO IDEA OF THE NUMBER OF SUBMISSIONS, I WOULD LIKE TO GET THOSE PDF AND GET THEM ON LINE.

THE GREAT THING ABOUT WORK AT IPLP . WE HAVE GREAT STUDENTS. THEY WORK WITH A PASSION AND COMMITMENT. THERE'S A LOT OF THINGS THEY CAN DO.
BECAUSE OF FUNDING, WE HAVE FINANCIAL SUPPORT. MANY OF THE STUDENTS ARE ON FINANCIAL AID AND WE CAN HELP THEM OUT.

I THINK -- THE UNIVERSITY OF ARIZONA, WE'RE GOING TO DO A GREAT JOB.

>> WHAT IS THE WEBSITE ADDRESS. --

>> YES. WE'LL WILL MAKE IT AVAILABLE BY END OF THE DAY. IT'S LONG, AND I DON'T WANT TO HAVE TO REPEAT IT RIGHT NOW.

>> IF WE HAVE TO LEAVE EARLY. WE WILL COME AND SEE YOU.

ROBERT WILLIAMS: WE WILL PUT YOU ON THE EMAIL LIST. WE'LL SEND A POST AND YOU CAN LINK IT.

SEE HOW I FIGURED THAT OUT? I HAVE MICHAEL HERE. -- SO AGAIN, A COUPLE POINTS TO EMPHASIZE. AND PEOPLE HAVE COME UP AND SEEM TO BE APPRECIATIVE OF THE ABILITY. WE GOT EVERYBODY THAT WANTED TO SPEAK, SPEAK, WE'RE COMMITTED TO DOING IT TODAY.

IT'S IMPORTANT, I CAN TELL YOU, MORE PEOPLE ASKED TO SPEAK. WE TRIED TO PLAN AN EVENT. AND JIM WAS VERY CONSCIOUS OF MAKING SURE THE PEOPLE THAT CAME THE LONG WAY AND SPENT MONEY WOULD HAVE THE OPPORTUNITY. IT'S SO IMPORTANT, AGAIN WE'RE APPRECIATIVE. YESTERDAY, JUST ABOUT ALL THE SPEAKERS WERE RESPECTFUL OF TIME. WE NEED THE SAME COURTESY TODAY.

I WILL EMPHASIZE THAT AS WELL. WE HAVE WORKED ON THE ISSUE, NOT LATE IN THE NIGHT BUT RELATIVELY INTO THE NIGHT, MAKING SURE WE CAN WORK THE LIST OF SPEAKERS THAT ARE THERE.

IT'S MY JOB TO FILL TIME, WHILE WE WAIT FOR JIM.

HE IS DOING AN INTERVIEW. HOW MANY PEOPLE HAVE SEEN THE O'REILLY SEGMENT

WHERE THEY MAKE FUN OF US? BILL O'REILLY INTERVIEWED DENNIS MILLER, A SO-CALLED COMEDIAN. WHAT'S THIS ABOUT THE UNITED NATIONS INVESTIGATINGTHE US FOR INDIANS, AND STARTED MAKING FUN OF THE WHOLE CONSULTATION PROCESS AND EVEN MAKING FUN OF JIM'S LAST NAME. IT WAS HUMILIATING BUT SHOWS YOU WHAT WE'RE UP AGAINST. THE RACISM IS STILL OUT THERE.

I HAVE SPENT MY LIFE WRITING ABOUT THESE THING AND WORKING IN TRIBAL COMMUNITIES. AND ALSO WORKING ACROSS THE AISLE WITH NON- INDIANS. AND ALL OF US RECOGNIZE THAT THE UNITED NATIONS DECLARATION ON THE RIGHTS OF PEOPLES STARTED WITHIN THE UNITED NATIONS PROCESS FOR THE ELIMINATION OF RACISM.

IT CAME OUT OF THE UNITED NATIONS SYSTEM FOCUSED ON THAT TREATY. ELIMINATION OF RACISM AND ALL IT'S FORMS. WE RECOGNIZE, AT ROOT, WE ARE DEALING WITH IMPLEMENTATION OF THE DECLARATION, WE'RE WORKING ON THAT ISSUE OF THE STEREOTYPES, AND JUST THE BRUTAL BRUTALITY, THAT'S WHAT CAME TRUE FOR ME YESTERDAY. TO EVEN TALK ABOUT WHAT I HEARD. THE BRUTALITY THAT'S IMPOSED ON SO MANY OF OUR COMMUNITIES. AND I THINK WHAT REALLY CAME TO ME, THIS IS THE UNIVERSITY OF ARIZONA AND I TEND TO THINK LIKE A LAWYER. WE NEED A STRATEGY. WE NEED A STRATEGY. I'M SO HONORED TO HAVE SUZAN HARJO HERE. I THINK ABOUT THE NATIONAL CONGRESS OF AMERICAN INDIANS, NATIVE AMERICAN RIGHTS FUNNELED. THE EFFORTS THAT WENT INTO THE DEVELOPING A POLITICAL AND LEGAL STRATEGY FOR IMPLEMENTATION OF TRIBAL SOVEREIGNTY AND SELF-DETERMINATION IN THE SIXTIES AND SEVENTIES, AND WE

NEED HEROES LIKE THAT NO. WHO CAN WORK WITH PEOPLE LIKE THE UNITED NATIONS SPECIAL RAPPORTEUR, TRIBAL LEADERS, LIKE WE HAD IN THE SIXTIES AND SEVENTIES. WHO CAN WORK WITH LAWYERS AND TELL THEM WHAT TO DO.

I WAS ASKING, IF I ASK ANYBODY HERE, IF YOU ARE -- SOME OF YOU HAVE SMALL LEGAL OFFICES AND SOME HAVE LARGE. HOW MANY HAVE A LAWYER THAT'S EXPERT ON INDIGENOUS RIGHTS? ASK SOME OF THE ATTORNEYS WHERE THEY CAN FIND THE UNITED NATIONS DECLARATION. THEY WON'T BE ABLE TO GOOGLE IT.
THAT'S WHAT WE DO HERE, JIM, MYSELF, MELISSA, AND THE OTHER FACULTY. WE TRAIN THE BEST HUMAN RIGHTS LAWYERS IN THE WORLD. THERE'S NOBODY ELSE TRAINING ANY.

AND I LIKE TO SAY IT'S BECAUSE, WHY BOTHER? U. OF A IS DOING SUCH A GREAT JOB. OUR GRADUATES DO INCREDIBLE WORK. I TALKED TO SOMEBODY FROM NAVAJO NATION, AND I ASKED THEM THAT. "YES. THERE'S ONE GUY, HE UNDERSTANDS INTERNATIONAL HUMAN RIGHTS LAW." AND IT'S ED, MY FORMER STUDENT. AND HE SAID, YOU'RE RIGHT. OUR TRIBAL LEADERS, YOU HAVE THE EXECUTIVE POWER, AND APPOINT THE ATTORNEY GENERALS AND TRIBAL OFFICES. HAS YOUR TRIBE WORKED ON LEGAL STRATEGY? THOSE ARE SOME OF THE THINGS WE CAN THINK ABOUT. THE STRATEGIC THINKING AND LEADERS, TRIBAL LEADERS, GRASSROOTS. TRADITIONAL PEOPLE. WORKING TOGETHER. PARTICULARLY IN A LEGAL SYSTEM LIKE THE UNITED STATES.
AND JIM WHILE WE KILLED TIME, WAS IT ABOUT O'REILLY?
JAMES ANAYA: YEAH, WE MADE UP.
ROBERT WILLIAMS: WE'LL SEND A LINK TO THAT. WE WERE TALKING ABOUT RACISM

AND STEREOTYPES AND THE NEED FOR STRATEGIC THINKING.
JAMES ANAYA: HE CHANGED THE DENOMINATION OF AMERICAN INDIAN TO "CASINO OWNER AMERICANS".

ROBERT WILLIAMS: THE NEED FOR ALL OF US TO UTILIZE UNIVERSITIES. WE'RE HONORED TO HAVE ANGELA HERE, A LAW PROFESSOR. I BELIEVE YOU HAD JIM. HE TAUGHT ANGELA AND SHE IS A LAW PROFESSOR AT UCLA AND FABULOUS LAWYER. AND I THINK YOU'RE CHIEF JUSTICE -- WE'RE BRAGGING.

BUT, WE HAVE THESE GREAT INSTITUTIONS THAT DO THIS WORK. WE HAVE LAW STUDENTS COMING TO LAW SCHOOL WANTING TO DO THE WORK, LOOKING FOR JOBS. I THINK FROM MY VIEW AS AN EDUCATOR THAT'S WHAT WE NEED TO BE FOCUSED ON. AND I'M HONORED WE COULD HAVE JEFFERSON KEEL. ANOTHER ONE OUR HEROES. THESE ARE IMPORTANT THINGS. YESTERDAY WAS MOVING FOR ME. I FEEL THIS PLACE WAS BLESSED TO HOST THIS AND HEAR THE STORIES WE HEARD. TODAY I'M LOOKING FORWARD TO ANOTHER EQUALLY PHENOMENAL GATHERING. I'M GOING TO ASK RAYMOND AUSTIN, RETIRED NAVAJO SUPREME COURT JUSTICE, FOR MANY YEARS INSTRUMENTAL IN ESTABLISHING NAVAJO PEACEMAKER COURT WHICH HAS BEEN A MODEL FOR TRADITIONAL TRIBAL JUSTICE SYSTEMS AROUND THE WORLD.
AFTER RETIRING FROM NAVAJO NATION, I ASKED RAY, I THINK OVER 25 YEARS SERVICE, I SAID RAY, WHAT ARE YOU GOING TO DO? AND HE SAID, I WAS THINKING ABOUT DOING SOMETHING ON NAVAJO COMMON LAW. AND I SAID, THE KNOWLEDGE HE HAD FOR ALL THE YEARS. AND HE IS VERY TRADITIONAL AS WELL AS A LAWYER. WE NEED TO GET IT IN A BOOK. COME DOWN HERE TO THE AMERICAN INDIAN STUDIES AND DO YOUR PH.D. DISSERTATION ON NAVAJO COMMON LAW, AND HE SAID, I CAN DO

THAT AND I SAID ABSOLUTELY. I'LL BE YOUR CHAIR. AND IT IS NOW THE LEADING BOOK, I THINK ZION MENTIONED IT YESTERDAY. IT'S THE LEADING BOOK ON TRIBAL COMMON LAW IN THE WORLD. I RECOMMEND IT TO YOU. WE ARE HONORED TO HAVE RAY REPRESENTING NAVAJO NATION, GIVE THE OPENING PRAYER TODAY. AND AFTER THAT, JIM DID YOU WANT TO SAY ANYTHING? OKAY. AFTER THAT, I'LL TURN IT OVER TO JIM AND QUICKLY INTRODUCE THE NEXT PANEL. THANK YOU AGAIN FOR BEING HERE THIS MORNING.

JAMES ANAYA: GOOD MORNING, EVERYBODY. THANK YOU, RAY. I APOLOGIZE FOR BEING LATE. I WAS IN A INTERVIEW WITH A MORE FRIENDLY MEDIA HOST. NPR STATION OUT OF SEATTLE. AND I WANTED TO SAY HOW THANKFUL I AM FOR THE OPPORTUNITY. AND FOR THE PRESENTATIONS MADE YESTERDAY BY THE PANELISTS AND THOSE WHO SPOKE AMONG THE PARTICIPANTS.

IT'S REALLY USEFUL TO MY WORK AS I TRY TO PUT DOWN IN WRITING THE CONDITIONS AND ASPIRATIONS AND CONCERNS OF INDIGENOUS PEOPLE AND DEVELOP RECOMMENDATION. MORE IMPORTANTLY, IT STRUCK ME, IT'S IMPORTANT TO GET TOGETHER LIKE THIS ON AS MANY OCCASIONS AS WE CAN TO SHARE THE STORIES. IT'S EMPOWERING FOR ALL CONCERNED. I WANT TO THANK YOU FOR THAT. I ALSO WANT TO SORT OF, IN AN EFFORT TO KEEP THE CONVERSATION GOING USING SOCIAL MEDIA AND THE INTERNET, AGAIN I WANT TO EMPHASIZE AT ANY TIME YOU OR OTHERS SUBMIT INFORMATION TO ME THAT'S RELEVANT TO MY MANDATE, THE CONCERNS OF INDIGENOUS PEOPLE, AND YOU ARE ABLE TO SEND IT WITHIN THE NEXT COUPLE WEEKS OR MONTH. IT'S RELEVANT TO MY REPORT.

THERE ARE TWO HANDBOOKS THAT YOU HAVE, ONE ON THE DECLARATION, AND THE OTHER IS ON THE ROLE OF THE UNITED NATIONS SPECIAL RAPPORTEUR. AND THIS HANDBOOKS EXPLAINS WHAT THE MANDATE IS ABOUT, THE POSITION IN RELATION TO OTHER MECHANISMS LIKE THE UNITED NATIONS PERMANENT FORUM WHICH ARE DISTINCT AND PART OF THE CONCERN. THOSE INSTITUTIONS DO STUDIES, LOOK AT COORDINATION WITHIN THE UNITED NATIONS SYSTEM AND SO FORTH.
MY MANDATE IS TO LOOK AT SPECIFIC SITUATIONS AND ADDRESS THEM AND MAKE RECOMMENDATIONS ON THEM. THIS IS THE MANDATE THAT LOOKS AT SPECIFIC PROBLEMS AND HAS THE MANDATE ACCORDING TO ADDRESS THOSE IN SOME WAY. LIKE I SAID, I WELCOME INFORMATION AT ANY TIME. THE INFORMATION HOW TO SUBMIT INFORMATION ON SUBMITTING DOCUMENTATION IS IN HERE. AND WE ALSO LAY OUT IN THE HANDBOOK THE KIND OF INFORMATION, THOUGHTS, TO USE FOR US TO ACT UPON THE SITUATION THAT YOU ARE BRINGING TO MY ATTENTION.

I WANT TO POINT OUT. MY RESOURCES ARE LIMITED BY THE LIMITED RESOURCES OF THE UNITED NATIONS. I HAVE A COUPLE OF STAFF PEOPLE WITH ME, VERY COMMITTED STAFF PERSONS, FROM THE OFFICE FROM GENEVA. RAISE YOUR HANDS. AND WE SUPPLEMENT THAT WITH STUDENTS AT THE UNIVERSITY OF ARIZONA. MANY OF THE ONES YOU SEE THAT WORK WITH ME. AND WE DO WHAT WE CAN TO TAKE THE INFORMATION AND PUT IT IN THE DOCUMENTATION AND BE EFFECTIVE IN THE WORK WE DO. COMMUNICATING WITH GOVERNMENTS ABOUT THESE.

FINALLY, I WANT TO SAY A VERY IMPORTANT PART OF THIS, REALLY CONSCIOUSNESS - RAISING, IT ALWAYS STRIKES ME, DEALING WITH GOVERNMENTS AND THE MEDIA. I DEAL WITH THEM, FOR BETTER OR WORSE. IT STRIKES ME HOW

LITTLE KNOWLEDGE THERE IS WITHIN THE SOCIETY AT LARGE ABOUT NATIVE AMERICANS. ROB MENTIONED BILL O'REILLY'S RANT. HE IS FOX NEWS -- HE WAS SAYING, WHY IS THE UNITED NATIONS DOING THIS? MOVE ON. EVERYBODY KNOWS WHAT HAPPENED IN THE PAST. JUST LOOKING AT OTHER ISSUES LIKE IT'S NO BIG DEAL. MOVE ON. DIGGING UP OLD WOUNDS THAT SHOULD NOT BE DUG UP. THAT'S THE ATTITUDE.

DENNIS MILLER SAID, THEY ARE NOT REALLY AMERICANS, THEY'RE CASINO OWNER AMERICANS. THAT'S WHAT IT IS REDUCED TO. THAT'S THE POPULAR IDEA -- NONETHELESS IT'S A SLICE OF THE AMERICAN PUBLIC THAT THINKS THAT WAY.

THE CONSCIOUSNESS - RAISING. THE STORIES WE HEARD YESTERDAY ARE SO IMPORTANT. I'M COMMITTED TO DO WHAT I CAN, I FEEL PRIVELEGED AND HONORED AND HUMBLED TO HAVE, AND COMMITTED TO USE IT TO DO WHAT I CAN TO GET THE STORIES OUT THERE. IT'S SOMETHING WE CAN ALL THINK ABOUT.

I WAS HAPPY TO SEE AN OP ED IN THE "NEW YORK TIMES" THAT ANGELA DID. THE IMAGERY WAS NOT QUITE RIGHT. BUT MAYBE SOMETHING WE CAN BUILD ON. THAT KIND OF THING. REACHING OUT TO THE SOCIETY AT LARGE.

IT'S CONSISTENT WITH THE SPIRIT EVERYBODY IS TALKING ABOUT. WE'RE NOT TALKING ABOUT, GO BACK TO EUROPE THESIS, ADDRESSING THE PROBLEMS, GO BACK TO EUROPE, BUT TALKING ABOUT GOING BACK TO THE ORIGINAL SPIRIT THAT INDIGENOUS PEOPLE HAD WHEN THE EUROPEANS CAME. PEACE AND COEXISTENCE. AND THE SPIRITS I HEAR PEOPLE SAY WE NEED. HOW CAN WE GO BACK? IT'S AN

IMBALANCE.

HOW TO GO BACK TO THE ATTEMPT AT HARMONY OF THAT ORIGINAL SPIRIT? THAT'S WHAT WE'RE TALKING ABOUT. TO GET OUT THE MESSAGE OF WHAT'S REALLY HAPPENING, WHAT ARE THE CONCERNS? AND A MODEL OF COEXISTENCE THAT REALLY JUST ALLOWS FOR THE PEACEFUL COEXISTENCE THAT WE ASPIRE TO.
WITH THAT I LOOK FORWARD TO PANEL DISCUSSION TODAY AND THANK THE PANELISTS HERE AND THOSE TO COME. AND THOSE PRESENTING FOR BEING HERE AND CONTRIBUTING TO THIS.

ROBERT WILLIAMS: THANK YOU, RAY, FOR THAT PRAYER. AND ALSO WANT TO RECOGNIZE ANOTHER LOCAL TRIBAL CHAIRMAN FROM PASCUA YAQUI.

THE NEXT PANEL IS ON A CRITICAL ISSUE. AND WE INVITED THREE SPEAKERS AND WANT TO GET A BREADTH OF EXPERIENCE ON THE TOPIC, LANGUAGE, CULTURE, AND SACRED SITES. LANDS. IS IT SITES OR LANDS? PLACES.

SUZAN IS TRYING TO EDUCATE US.

AND WE ASKED LEONARD GORMAN TO CHAIR THIS PARTICULAR PANEL. LEONARD WAS THE PERFECT CHOICE. HE IS THE EXECUTIVE DIRECTOR FOR THE NAVAJO NATION HUMAN RIGHTS COMMISSION. HE HAS EXTENSIVE EXPERIENCE IN THE LEGISLATIVE BRANCH. FOR ME, HE IS THE SPEARHEAD OF LEADERS OF THE NAVAJO NATION MOVEMENT TO THE FOREFRONT IN THE INTERNATIONAL HUMAN RIGHTS. IN SO MANY WAYS THEY ARE A TRIBE BLESSED WITH RESOURCES BUT I HAVE HEARD MANY

HORRIBLE STORIES. I TOLD LEONARD: YOU GUYS ARE UNDER ATTACK. UNDER ASSAULT.

LEONARD IS REALLY IN THERE, BEEN TO GENEVA, TO OAS. AND MADE THE TRIBAL VOICE. TO HAVE THAT TYPE OF LEADERSHIP WITH THE RESOURCE AND HUMAN RIGHTS PROBLEMS, A NATION WHO CAN AFFORD TO SEND PEOPLE TO GENEVA. YOU CAN IMAGINE THE EXPENSE AND THERE'S SO MANY PRIORITIES THE NAVAJO NATION HAVE, BUT THIS IS ENOUGH PRIORITY TO INVEST THE RESOURCES AND IT'S IMPORTANT THAT IT OUGHT TO BE A PRIORITY FOR ALL TRIBES. WE ARE HONORED TO HAVE LEONARD CHAIR THE PANEL.

LEONARD GORMAN: GOOD MORNING. TRADITIONALLY THE PROTOCOL FOR NAVAJO IS INTRODUCE OURSELVES AS INDIGENOUS PEOPLE. I SEE SOME OF MY RELATIVES HERE, FAMILY MEMBERS, CLAN. I HAVE TO INTRODUCE MYSELF. (SPEAKING NAVAJO) GOOD MORNING. MY NAME IS LEONARD GORMAN. EXECUTIVE DIRECTOR FOR THE NAVAJO NATION HUMAN RIGHTS COMMISSION. AS ROB INTRODUCED THE PANEL HERE, MY OFFICE WAS ESTABLISHED IN 2006. AND WE STARTED THE WORK IN 2008. LAID THE GROUND ABOUT NAVAJO HUMAN RIGHTS ISSUES AND WE HAVE SOME MEMBERS OF THE NAVAJO NATION HUMAN RIGHTS COMMISSION HERE. IT'S A FIVE - MEMBER PANEL. AND WE HAVE EIGHT STAFF IN THE OFFICE. I WANT TO ACKNOWLEDGE THE COMMISSIONERS HERE, COMMISSIONER IRVING, HE IS PROFESSOR OF LITERATURE. AND CHAIR OF THE COMMISSION, (INAUDIBLE) IN THE BOOK. AND ONE OF THE MEMBERS IS A PANELIST ALSO HERE. AND ALSO I HAVE STAFF THAT CAME DOWN HERE THAT ARTICULATE ISSUES IN THE INTERNATIONAL COMMUNITY POLICY STATEMENT. WHITE IS ATTORNEY. AND MR. RODNEY, POLICY ANALYST CHARLENE

SMITH, THE OFFICE MANAGER THAT DEALS WITH THE DAY-TO-DAY STUFF. I WANT TO INTRODUCE THE PANELISTS HERE, GOING OVER SOME OF THE ACTIVITIES WE HAVE IN THE OFFICE. AND SOME OF THE NUTS AND BOLTS OF THE INITIATIVES WE DO AS A HUMAN RIGHTS OFFICE IN THE WORLD.

WE HAVE THE PRIVILEGE OF ENGAGING THE SPECIAL RAPPORTEUR A COUPLE YEARS AGO. THIS IS PERTAINING TO SACRED PLACES IN ARIZONA. ALL OF US HERE FROM VARIOUS INDIGENOUS COMMUNITIES ARE WELL AWARE OF THE DESECRATION OF SAN FRANCISCO PEAKS. WE HAD A REPORT FROM PROFESSOR ANAYA, AND SOME OF THE FINDINGS PUT FORWARD ARE IN MY OFFICE AND NAVAJO NATION IS PURSUING WAYS TO ADDRESS. WE -- OTHER ORGANIZATIONS, NON- GOVERNMENT, INTERNATIONAL INDIAN TREATY COUNCIL, WAS HELPFUL AND ALSO PURSUING THE RECOGNITION OF VIOLATIONS OCCURRING FOR OVER A CENTURY.

AND THAT VIOLATION, AS PROFESSOR ANAYA INDICATED, NAVAJOS AND ALL THE STAKEHOLDERS THAT HAVE BELIEF IN THE SAN FRANCISCO PEAKS AS A SACRED SITE. THEIR RIGHTS ARE VIOLATED. THEY NEVER CONSENTED TO THE CONSTRUCTION OF THE RESORT AND OTHER EXPANSIONS AND DEVELOPMENTS OCCURRING ON ONGOING OCCURRENCES. WE ARE ASKING THROUGHOUT NAVAJO GOVERNMENT TO HAVE US GOVERNMENT TO RECOGNIZE NOT ONLY THE REPORT BUT THE OPPORTUNITY TO SUSPEND THE PERMIT UNTIL THOSE CONDITIONS ARE REACHED -- FREE CONSENT.

THERE WAS A LETTER THAT CAME IN FROM THE CERT?? COMMITTEE ON ELIMINATION OF RACIAL DISCRIMINATION. A BODY THAT EXAMINES THESE TYPES OF VIOLATIONS AND THEY ISSUED A LETTER TO THE UNITED STATES. THEY HAVE TO JULY 31 TO

RESPOND TO CONCERNS RAISED AT THE CERT?? LEVEL. THE DAM ISSUES AND TAKING OF THE LAND.

WE'RE LOOKING FORWARD, MARKING OUR CALENDARS, JULY 31, 212, AS A BENCHMARK AND DATE TO LOOK AT AS FAR AS RESPONSES FROM THE UNITED STATES.
THE OTHER RECOMMENDATION MY OFFICE MADE TO THE UNITED NATIONS SYSTEM IS THAT NAVAJO NATION, LIKE OTHERS, ARE EQUIVALENT TO STATURE AS A NATION STATE. ALL 192 MEMBER STATES OF THE UNITED NATIONS. BECAUSE OF THE RECOGNITION BY NATION-STATES U. N. D. R. I.??

-- I DON'T KNOW ABOUT ASPECTS OF TRIBAL GOVERNMENT -- IT IS IMPORTANT THAT UNITED NATIONS RECOGNIZE THAT INDIGENOUS PEOPLES HAVE A SEAT AT THE TABLE AND THE POSSIBILITY OF HAVING A VOTE ON THE FLOOR AT THE UNITED NATIONS SYSTEM.

WE EXAMINED THOSE AND MY COMMISSION, THROUGH THE NAVAJO NATION, SUBMITTED THE REPORT LAST WEEK, IN WHICH THE RECOMMENDATION IS INDIGENOUS NATIONS AND PEOPLES HAVE A STATURE OF THE PERMANENT OBSERVER AT THE UNITED NATIONS SYSTEM.

THE OTHER TASK THAT WE ARE EXAMINING IS THE FEASIBILITY OF PUSHING THESE VIOLATIONS, HUMAN RIGHTS, INTO THE INTERNATIONAL ARENA. WE REALIZE AS THE INFORMATION SURFACES TODAY AND YESTERDAY, THAT IN THE FUTURE NATION-STATES HAVE BEGUN TO EXAMINE RELIGIOUS HUMAN RIGHTS ISSUES. MUCH LIKE THE IDEAS ABOUT SELF-DETERMINATION. SELF-DETERMINATION IS RELATIVELY

NEW CONCEPT, ABOUT 40 TO 60 YEARS OLD. INDIGENOUS ISSUES COMING TO SURFACE. SO THE MORE TIMES THAT WE AS INDIGENOUS NATIONS SURFACE THESE ISSUES IN THE INTERNATIONAL ARENA, THE MORE OPPORTUNITY WE HAVE THAT THE VOICE IS OUT THERE AND WOULD BE EXAMINED BY THE WORLD COMMUNITY.

WE'RE BEGINNING TO ORGANIZE OURSELF AND ISSUES AND STRATEGIES TO EXAMINE THE FEASIBILITY OF ENTERING INTERNATIONAL COMMISSION.

AND FINALLY, WE MAKE EVERY EFFORT TO TRY AND BE A PARTICIPANT IN THE INTERNATIONAL DISCUSSIONS. WE CAME BACK FROM A DISCUSSION AT THE, AN ARM OF THE UNITED NATIONS SYSTEM. ORGANIZATION OF AMERICAN STATES. ALONG THE TIME THAT THE DECLARATION WAS BEING DEVELOPED, THEY ALSO EMBARKED UPON THE IDEA OF RECOGNIZING INDIGENOUS RIGHTS IN THE WESTERN HEMISPHERE.

WE CAME BACK FROM THE MEETING. THERE WAS A NUMBER OF ARTICLES ACCEPTED INCLUDING THE CONCERNS ABOUT CULTURE, LANGUAGE AND INTELLECTUAL PROPERTY ASPECTS. THOSE ARE SOME OF THE CURRENT INITIATIVES THAT WE HAVE AS AN ORGANIZATION ON THE NAVAJO NATION.

ALL OF CREDIT GOES TO THE STAFF OF THE NAVAJO NATION HUMAN RIGHTS COMMISSION, AND COMMISSIONERS THAT PROVIDE GUIDANCE AND RECOMMENDATION ON HOW TO ADDRESS THE CONCERNS.

COMING TO THIS SESSION THIS MORNING, THERE'S SEVERAL ARTICLES THAT SURFACE AND DISCUSSIONS THAT ENTAIL THE RECOGNITION OF LANGUAGE, THE CULTURE, AND

ALSO SACRED SITES. WE VIEWED THESE ASPECTS. PRINCIPALS AS THE NUTS AND BOLTS OF WHO WE ARE, AS RELIGIOUS PEOPLE. LANGUAGE IS IMPORTANT. BEING ABLE TO SPEAK LANGUAGE AND BE ABLE TO DICTATE THE DIRECTION OF THE PEOPLE IN THE FUTURE.

LANGUAGE IS A VERY IMPORTANT ASPECT. IN THE DECLARATION IT TALKS ABOUT THE NEED FOR REVITALIZATION, THE TRANSMISSION FOR FUTURE GENERATIONS INDIGENOUS PEOPLE HISTORY, LANGUAGES, CULTURES, PHILOSOPHIES, WRITTEN SYSTEM AND LITERATURES.

SOME OF THE ASPECTS TALK ABOUT THE STATE, THE STATES MUST DO THIS. AND THAT IS AS AN EXAMPLE. WHEN THE LANGUAGE SAYS, IN PARAGRAPH THREE, ARTICLE 13: STATES SHALL TAKE MEASURES TO ENSURE THIS RIGHT IS PROTECTED.
WHAT IT MEANS TO US AS A HUMAN RIGHTS OFFICE, IS EFFECTIVE MEASURES MEANS THE FUNDING LEVEL MUST ALSO BE EFFECTIVE ENOUGH TO CARRY ON THE PROTECTION.

SO THE SCHOOL SYSTEMS, PUBLIC SCHOOL SYSTEMS, THE FEDERAL SCHOOL SYSTEMS. THOSE ARE ASPECTS OF ENSURING EFFECTIVENESS OF THE ISSUES. AND THEN ARTICLE 14, TALKS ABOUT THE LANGUAGE ASPECTS. SIXTEEN, THE CULTURAL ASPECTS. THE PREAMBLE TALKS ABOUT THE NEED FOR CULTURE WORLDWIDE. RECOGNITION OF CULTURE DIVERSITY. ARTICLE VIII. PEOPLE HAVING THE RIGHT NOT TO BE FORCIBLY ASSIMILATED AND CULTURES DESTROYED. ARTICLE 11, 15 AND 31 ALSO TALK ABOUT THE CONCERNS AND ON SACRED SITES.

ARTICLE 25, IS A STRONG LANGUAGE, HAVING THE ABILITY TO VISIT AND CONTINUE THE CONNECTION TO SACRED SITES OFF THE RESERVATION. AND UTILIZE THE PARAGRAPH TO ASSERT CONCERNS IN THE INTERNATIONAL FORUM. THE OTHER ASPECT. THE OTHER INTERNATIONAL INSTRUMENTS. -- (INAUDIBLE). TALKING ABOUT AS A MINORITY WE LIVE IN A COMMUNITY AND YOU MUST UTILIZE YOUR RELIGIOUS RIGHTS AND PRACTICES. AND USING THAT TO FORCE THE UNITED STATES TO RESPOND TO OUR CONCERNS.

IN THAT RESPECT WE HAVE A LOT OF ISSUE BEFORE US. TALKING ABOUT LANGUAGE, CULTURE, AND WHEN WE ALSO TALK ABOUT THE NEED TO PROTECT ALL OF THESE ASPECTS.
THE UNITED STATES MADE SOME STATEMENTS IN THE INTERNATIONAL ARENA. IT SAID, IN RESPONSE BY NATION-STATES IT WILL GUARANTEE THE RIGHTS OF INDIGENOUS PEOPLES TO FULLY IMPLEMENT THE DECLARATION. THE UNFORTUNATE ASPECT OF ALL THE DISCUSSION IS IN LAST WEEKS MEETING THE UNITED STATES SAID, I'M HERE TO LISTEN. THIS IS THE POLICY WE HAVE FROM THE BUSH ADMINISTRATION. I'LL READ A PARAGRAPH, THE UNITED STATES IS RESERVING IT'S POSITION ON THE FINAL TEXT OF THE DISCUSSION AND DOES NOT JOIN IN ANY TEXT THAT MIGHT BE APPROVED, OR OTHERWISE APPEAR (INAUDIBLE) OAS WORKING GROUP. THAT'S A SHAME.

WHEN WE TALK ABOUT THESE TYPE OF ISSUES, THE UNITED STATES SITTING THERE WANTING TO LISTEN AND NOT SAY ANYTHING. WE NEED TO HAVE MEANINGFUL DIALOGUE.

WITH THAT, I WANT TO INTRODUCE THE FIRST SPEAKER. ON THE PANEL.
I HAVE THE PRIVELEGE TO WORK WITH THIS MEMBER, THE COMMISSION MEMBER, AND HE HAS ALWAYS BEEN VERY ATTENTIVE TO THE WORK OF OUR STAFF.
AND HAS PROVIDED US AMPLE AMOUNT OF GUIDANCE AND I HAVE THE PRIVILEGE TO WORK WITH STEVE DARDEN AS ONE OF THE COMMISSIONERS ON NAVAJO HUMAN RIGHTS. HE HAS CHOSEN TO BE ON THE COMMISSION. HE BELIEVES THE EXPERIENCE AS A CITY JUDGE GIVES HIM A UNIQUE VIEW TO LOOK AT ALL CASES OF DISCRIMINATION FROM A FAIR AND IMPARTIAL VIEW. AND HAS AMPLE EXPERIENCE, CITY COUNCILOR, AND MAGISTRATE PRO TEM. AND HAS HONORS AND RECOGNITIONS AS A VOLUNTEER FROM VARIOUS ORGANIZATIONS, AND I TAKE PRIVILEGE TO INTRODUCE MR. STEVE DARDEN.

STEVE DARDEN: (SPEAKING NAVAJO). I WANT TO TAKE PRIVILEGE AS OUR FORMER WRITTEN STATEMENT HAS BEEN SUBMITTED. AS A COMMISSIONER AND TRADITIONAL PRACTICER BESEECH ALL OF YOU FOR YOUR PATIENCE AND FOREBEARANCE BEFORE I OFFER A SONG ABOUT THIS PLACE WE ARE TALKING ABOUT. ACKNOWLEDGE MY BROTHER, LENNY FOSTER. AND HIS LATE MOTHER AND FATHER. ONE OF THE REASONS I CHOSE TO SERVE ON THE COMMISSION IS HIS WORK WITH THE NATIVE INMATES AND WORKING HARD TO ENSURE THEIR SPIRITUAL RIGHTS ARE PROTECTED. AND THEIR HUMAN RIGHTS.

I ALSO WISH TO ACKNOWLEDGE CARRIE DANN. FORTY-ONE YEARS AGO I STOOD IN HER FRONT YARD WITH HER SISTER MARY, NEVER KNOWING WE WOULD SERVE ON THE SAME VENUE. YESTERDAY, WE SAID TO HER, IN MY LANGUAGE, -- I GOT TO SIT AND STAND BESIDE HER FOR THE BATTLE SHE HAS FOUGHT AND I GET TO SIT ALONGSIDE IN

THIS HONORED POSITION. WITH THIS ESTEEMED GENTLEMAN AND FELLOW COMMISSIONERS. I WANT TO ALSO OFFER THE SONG, NOT TO BE DISRESPECTIVE OF STAFF IN ANY MANNER, WE HAVE AN AWESOME STAFF, BUT I WANT TO TAKE PRIVILEGE AS A DINE' CITIZEN.

TRADITIONAL PRACTITIONERS, WE CANNOT JUST SAY WORDS ABOUT THE MOUNTAINS. WE HAVE SONGS THAT EMANATED FROM THEIR SPIRIT. THEY WERE REVEALED TO FIRST MAN AND FIRST WOMAN AND PASSED DOWN THROUGH THE FOREBEARERS. ONE WAS MY FOURTH GENERATION GRANDMOTHER, I WISH TO STATE HER NAME FOR THE RECORD. (NAVAJO).

ORIGINALLY FROM SPIDER ROCK.
I'M GOING TO STATE IT FOR THE RECORD FOR MY CHILDREN, GRANDCHILDREN.
MR. LUKE AND YOUR WIFE. I WANT TO SAY THANK YOU FOR YOUR PRECIOUS CHILDREN TO BE PRESENT TO WITNESS AND HOPEFULLY CARRY ON THE LEGACY OF THOSE AS CARRIE DANN AND LENNY FOSTER AND OTHERS THAT WORKED IN THESE WAYS FOR YOUR PEOPLE. FOR THE CHILDREN I SAW YESTERDAY, THAT'S WHO WE ARE HERE FOR.

I WANT TO TAKE PRIVELEGE. AND I BID YOUR PATIENCE, AND OFFER A SONG. AND JOIN WITH ME. WE HAVE AS INDIGENOUS PEOPLE A UNIVERSAL SPIRIT THAT GUIDES US. HUM ALONG WITH ME. BECAUSE IT'S A SONG THAT CONNECTS US TO THAT WHICH IS SACRED. AND WE ARE SACRED. WE ARE OF THE EARTH. OUR EARTH SUIT CONNECTS US IN THAT MANNER. AND AS MY HAWAII RELATIVES STATED NOT JUST TO HUMANITY, BUT TO THE STANDING GREEN NATION. THE MEDICINES, TOBACCO.
I'M OF THE EAGLE CLAN, ADOPTED BY (INAUDIBLE) MY CHEYENNE RELATIVES, TURTLE

FAMILY, ON TURTLE ISLAND. THE HERITAGE ON MY DADDY'S SIDE. JOIN WITH ME, I WANT THIS SPIRIT OF THESE MOUNTAINS TO BE HEARD AT THE UNITED NATIONS LEVEL AND HOPEFULLY RESONATE TO THE HEARTS AND MINDS OF THE LEADERSHIP OF THIS NOISE. TO RECOGNIZE MY BIOLOGICAL FATHER PAID THE ULTIMATE PRICE AND DIED IN DEFENSE OF THIS COUNTRY.

MY BIRTHDAY, JUNE 1, 1981. THE DATE THE TREATY WAS SIGNED GOD GIFTED ME A NEW DADDY. WILSON BITSY. ONE OF THE ORIGINAL CODE TALKERS. HE SAID TO ME, SON, MY LANGUAGE DID NOT KILL ONE HUMAN BEING. IT SAVED MILLIONS. AND THAT WAS MY SERVICE TO THE COUNTRY. HE WISHED NO ACCOLADES, NO AWARDS, OR HONORS. HE SAID I DID IT IN PRAYER, AND I WANT YOU TO CARRY ON THE LEGACY. LENNY, FOR YOUR LATE FATHER I OFFER THE SONG IN THE LANGUAGE THAT WAS USED.

(NAVAJO SONG)

SO THE SPIRITS OF THE HOLY ONES ANIMATED WITHIN THE MOUNTAINS SUCH AS THE SAN FRANCISCO PEAKS. REVEAL THEMSELVES THROUGH THE ESSENCE.
(NAVAJO). THERE ARE SEVEN OF THEM. AND THOSE SEVEN ABIDE WITHIN US.
AND THAT'S WHERE WE HAVE THE GUIDANCE IN THE THIRD ROUND OF THE SWEAT CEREMONY. WE BRING SEVEN STONES IN AND STAND AND FACE, AS DR. AUSTIN SAID, TO THE EAST AND SOUTH AND WEST AND NORTH.

THE CENTER OF THE HEART CONNECTED TO OUR MIND. OUR SPIRITS. THESE SONGS CAME DANCING WITH THE PLANTS. THE HERBS, MALE AND FEMALE ESSENCE, AND

THEY REVEAL THEMSELVES. AND THEY CAME WITH THESE SACRED HERBS AND MEDICINES WITH THEIR NAMES, THEY EACH HAVE NAMES, AND THE GRANDMAS KNOW THE NAMES. THEY DON'T JUST PLUCK THEM. THEY HAVE -- MY GOODNESS, -- I SEE THE WORD UTE, -- I'LL TAKE MORE THAN THAT.

FOUR TIMES MY PEOPLE, THE NAVAJO NATION, PRESSED THE ISSUE THROUGH THE LEGAL PROCESS AND ALL THE PIECES OF LEGISLATION THAT WERE EFFECTIVE DID NOT HELP MY PEOPLE IN THAT MANNER.

LET ME CLOSE WITH THIS. THE ELDERS ONE DAY ASKED ME TO SPEAK AT THE CITY COUNCIL HEARING. MY TRIBAL PRESIDENT HAD SPOKEN AND OTHER LEADERS HAD SPOKEN. I LOOKED AT MY WIFE AND SAID, LOAN ME A DOLLAR. SHE BROUGHT OUT A DOLLAR, AND I SPOKE TO THE CORPORATE OFFICIALS, I HELD UP THE DOLLAR AND SAID, HERE ON THE BACK OF LEGAL TENDER, IT SAYS "IN GOD WE TRUST".

I SUBMIT, YOU DON'T TRUST IN GOD. YOU ARE TRYING TO MAKE FAKE SNOW, TRYING TO BE GOD IN INSTEAD OF GODLY. YOU HAVE NO REGARD FOR THE SACREDNESS AND DIVINITY. I GUESS THIS IS A FAKE PUBLIC HEARING, A FAKE CITY HALL HEARING. I GUESS WHAT YOU ARE DOING IS FAKE. I'LL TRUST THE HOLY ONES THAT WE WILL PREVAIL.

THE SONGS THAT EMANATE WILL NOT BE DIMINISHED BY THE DECISIONS RENDERED IN THE HALLS OF WHAT YOU CALL JUSTICE.

WITH THAT, I WANT TO SAY THANK YOU FOR THE PRIVILEGE TO OFFER THE SONG. I OFFER IT NOT FOR YOU, I OFFER IT FOR MY GRANDCHILDREN YET TO BE BORN.

THE SAD REALITY IS THAT OUR LANGUAGE IS BEING SO GREATLY DIMINISHED. MY ELDERS TOLD ME THE FOUR SIGNIFICANT WORDS AND I UTTERED THEM. I HAVE THE SEEDS, THEY WILL GROW AND BE NURTURED BY HOLY ONES. THEY ARE FROM THE SACRED PLACES, PARTICULARLY IN THE MOUNTAINS, WHERE WE MAKE OUR PILGRIMAGE TO MAKE OUR OFFERINGS. NO DISRESPECT.

I CLOSE AND ASK YOU SAY THE WORDS AND I WILL CLOSE. SAY WITH ME, YAATEH, IF YOU DON'T KNOW, IT MEANS THANK YOU. AND ANOTHER ONE, I AM HAPPY.
I AM GRATEFUL.
AND ANOTHER ONE, I HAVE RISEN. I AM WELL. SPIRITUALLY, MENTALLY EMOTIONALLY, PHYSICALLY, THAT'S ALL THAT'S IMPORTANT. THAT'S ALL I'LL SAY.

LEONARD GORMAN: THANK YOU. THE SONG SUNG HAD US TRAVEL AS WE UNDERSTAND THE LANGUAGE, THE WORDS IN THE SONG, FROM EAST, SOUTH, WEST, NORTH AND CAME BACK TO THE EAST. AND THAT'S THE JOURNEY THAT IT TOOK US THROUGH. UNFORTUNATELY, A LOT OF TIMES OUR OWN PEOPLE CAN'T MAKE THE JOURNEY BECAUSE ON NAVAJO NATION THOSE MOUNTAINS MENTIONED IN THE SONG ARE OUTSIDE THE BOUNDARIES OF NAVAJO NATION.

IT'S IMPORTANT THAT IN THE REPORT THAT PROFESSOR ANAYA IS FORMULATING, ARTICLE 25, HAS FULL IMPLICATION AND RESPECT FOR ALL INDIGENOUS PEOPLE AND THESE ARE SOME OF THE CHARACTERISTICS OF LANGUAGE AND CULTURE. THE NEXT

AREA OF CONCENTRATION IS INVOLVING EXPERTS IN THE AREA, ARTICLE 31.
THAT ARTICLE TALKS ABOUT THE MEANS AND CONTROLLING AND PROTECTING AND CONTROLLING CULTURAL HERITAGE, KNOWLEDGE AND TRADITIONAL CULTURE EXPRESSIONS.

AS WELL AS THE ABILITY TO MANIFEST THE SCIENCE AND TECHNOLOGY, INCLUDING HUMAN AND GENETIC RESOURCES. WE, AS PEOPLE, HAVE THE RIGHT TO MAINTAIN CONTROL AND DEVELOP OUR INTELLECTUAL PROPERTY OVER OUR CULTURES, HERITAGE AND TRADITIONAL CULTURAL EXPRESSIONS.

I TAKE PRIVILEGE TO INTRODUCE TO YOU, ANGELA RILEY, PROFESSOR AT THE UNIVERSITY, UCLA, DIRECTOR OF THE AMERICAN INDIAN STUDIES CENTER.

AND I'M PRIVILEGED TO COMMUNICATE THIS INDIVIDUAL IS A GRADUATE FROM THE HARVARD LAW SCHOOL AND CLERKED FOR JUDGE KERN?? NORTHERN DISTRICT OF OKLAHOMA. AND HAS HAD THE OPPORTUNITY TO BE APPOINTED AS A JUSTICE, HER NATION'S, ON THE SUPREME COURT AND BECOMING THE FIRST WOMAN JUSTICE OF THE SUPREME COURT. POTTAWOTOMIE. AND ELECTED AS CHIEF JUSTICE. AND HAD THE OPPORTUNITY TO EXAMINE INTELLECTUAL PROPERTY ISSUES PERTAINING TO INDIGENOUS PEOPLE. WITH THAT, CHIEF JUSTICE RILEY.

ANGELA RILEY: THANK YOU. I'M OVER HERE.
I'M GOING TO USE A POWER POINT. I'M ATTEMPTING TO DO IT STANDING.
THANK YOU SO MUCH FOR HAVING ME HERE. I WANT TO START BY GIVING MY DEEP

GRATITUDE TO ALL OF YOU FOR THE EVENT. AND IN PARTICULAR FOR THE RAPPORTEUR FOR BEING HERE TO LISTEN TO THE CONCERNS.

AND ALSO TO PROFESSOR WILLIAMS AND ALL THE ARIZONA LAW SCHOOL. YOU HAVE DONE AN AMAZING JOB. AND I HAVE TO THANK THE STUDENTS AND ALL THE PEOPLE AROUND WHO I SEE KEEPING THE EVENT GOING AND HAVE BEEN INCREDIBLE. I'M HONORED TO BE ON THE PANEL, SEATED WITH SUCH ESTEEMED COLLEAGUES AND MENTORS.

I DID TAKE INDIGENOUS PEOPLE AND INTERNATIONAL LAW FROM JIM. HE TAUGHT ME WAY BACK IN '96 OR SOMETHING. I LEARNED A LOT. BUT I FEEL I'VE BEEN ON A LONG EDUCATIONAL PROCESS.

I WANTED TO MAKE A COUPLE OF COMMENTS. I AM A LAW PROFESSOR AT UCLA BUT I'M HERE SPEAKING AS A SCHOLAR, NOT SPEAKING FOR THE NATION, WHICH IS POTTAWOTOMIE, OR ANY PARTICULAR GROUP. SOME OF THE ISSUES, I IMAGINE THERE'S A WIDE DIVERGENCE OF VIEWPOINTS. I DON'T MEAN TO PRESENT THEM AS IF IT'S A MONOLITHIC ISSUE.

I WANT TO RAISE THINGS COMING DOWN THE ROAD WORTH HIGHLIGHTING. THE MOST IMPORTANT THING IS THAT I BE BRIEF SO WE CAN TURN TO WHAT YOU ALL HAVE TO SAY.

SO THE FIRST THING, I WANT TO RELATE THIS BACK AT THE REQUEST OF OUR ORGANIZERS TO THE DECLARATION ITSELF. I KNOW YOU HAVE A COPY, I WON'T GO

THROUGH THE PROVISIONS IN DETAIL, BUT WANTED TO TOUCH ON THE DECLARATION AND BRING THE CONVERSATION BACK TO THE DECLARATION AND GROUNDED WITHIN IT.

AND I DO THIS BECAUSE I THINK AS WE THINK ABOUT MOVING FORWARD -- AND I'LL TALK ABOUT THIS AT THE END. THINKING ABOUT MOVING FORWARD AND IMPLEMENTATION OF THE PROVISIONS ON THE DECLARATION ON ON THE GROUND AND AS A TRIBAL MEMBER AND LAWYER, WHEN I THINK ABOUT IMPLEMENTATION, I THINK ABOUT HOW DO WE BEGIN TO DEVELOP THE JURISPRUDENCE AROUND INDIGENOUS RIGHTS TO ENCOMPASS THE PROVISIONS OF THE DECLARATION? ONE WAY IS THROUGH THE PROCESS THAT THE RAPPORTEUR MENTIONED THIS MORNING, THE CONSCIOUSNESS - RAISING AND STARTING TO SPEAK IN THE LANGUAGE OF THE DECLARATION AND ARTICULATE INDIGENOUS RIGHTS WITHIN THE LANGUAGE.
I REFER YOU TO THE SOME OF THE KEY PROVISIONS DEALING WITH THE ISSUES I HAVE BEEN ASKED TO DISCUSS. LANGUAGE, CULTURE AND SACRED SITES. LANGUAGE, ARTICLE XIII. AND 14, DEALING WITH THE PROTECTION OF LANGUAGE IN AN EDUCATIONAL CONTEXT.

THE DECLARATION IS REPLETE WITH PROVISIONS DEALING WITH CULTURE. THE WHOLE DECLARATION IN MY VIEW IS ABOUT CULTURAL SURVIVAL, IT'S ONE OF THE KEY UNDERLYING PHILOSOPHIES, ALONG WITH THE RIGHT TO SELF-DETERMINATION. PART OF MAINTAINING ONE'S CULTURE INTO THE FUTURE. YOU SEE REFERENCES TO CULTURE AND PROTECTIONS INCLUDING ARTICLE VIII, ARTICLE XI.

SIMILARLY PROTECTIONS AND IN LANGUAGE OF FREE PRIOR AND INFORMED CONSENT WHICH OUR MODERATOR MENTIONED IN THE CONTEXT OF PROTECTION OF SACRED PLACES.

ARTICLE XII ALSO MENTIONED CULTURE IN A PARTICULAR WAY THAT'S IN REGARD TO REPATRIATION WHICH I WANT TO TALK ABOUT BRIEFLY. AND REPATRIATION OF HUMAN REMAINS AND CEREMONIAL OBJECTS. AND XXXI, DEALING WITH A PARTICULAR TYPE OF CULTURAL PROTECTION, INTELLECTUAL PROPERTY.
AND THAT'S AN AREA I WORK EXTENSIVELY IN. I SEE IT AS A MASSIVELY GROWING AREA. I HAD THE OPPORTUNITY TO PRESENT AN ADDRESS TO THE WORLD INTELLECTUAL PROPERTY ORGANIZATION ON THIS ISSUE.

SO THAT'S A BURGEONING AREA, AND I'M SURE YOU HAVE HEARD A LOT ABOUT IT AND IT'S GOING TO CONTINUE TO BE AN ISSUE. AND FINALLY IN REGARDS TO SACRED SITES NUMEROUS POSITIONS CAN BE CONSTRUED. TWENTY-FIVE IS ONE OF THE STRONGEST. WITH THAT AS A BASELINE I WANT TO MAKE A FEW POINTS.

FIRST OF ALL, IN TERMS OF IMPLEMENTATION, THERE'S A FEW THINGS THAT ARE CRITICALLY IMPORTANT.

THINKING ABOUT WHAT TO TALK ABOUT, THIS IS SUCH AN AMAZING GROUP OF PEOPLE WITH SO MUCH EXPERIENCE. AND LIVING SO MUCH OF THE ISSUES ON THE GROUND AND DEALING WITH THEM. WHAT VIEWPOINT DO I HAVE TO BE OF HELP? TO THE RAPPORTEUR AND TO THE GROUP AND ADVANCING INDIGENOUS RIGHTS.
SOME OF THE THINGS I THINK MIGHT BE IMPORTANT I'M GOING TO TALK ABOUT. THE

FIRST IS LOOKING AT THE DECLARATION AS A LIVING DOCUMENT. THAT IS TO SAY, THE METES AND BOUNDS OF THE DECLARATION ARE NOT FULLY FORMED. IT'S A CAPACIOUS DOCUMENT. THE ABILITY TO DO AN INFINITE AMOUNT. AND HOW IT ULTIMATELY GETS EMPLOYED, INTERPRETED AND UTILIZED IS YET TO BE SEEN. IT'S EMBRYONIC.

ONE IMPORTANT THING IS LOOK AT IT AS A LIVING DOCUMENT, CAPABLE OF ACCOMMODATING THE KIND OF RIGHTS AND CLAIMS INDIGENOUS GROUPS NEED TO MAKE. IF YOU LOOK AT IT'S LANGUAGE, AND THIS IS ONE OF THE POINTS I WANTED TO MAKE IN TERMS OF BIFURCATING, LANGUAGE AND SACRED SITES. THEY ARE ALL INTERCONNECTED. THE DECLARATION IS INTERCONNECTED IN THE SENSE IT'S MEANT TO ADVANCE THE DETERMINATION OF VARIOUS GROUPS.

THE SECOND POINT, IT SETS FORWARD RIGHTS AND RESPONSIBILITIES THAT ARE INTERNALLY AND EXTERNALLY CONNECTED. I MEAN, THERE'S DISCUSSION YESTERDAY OF THE RESPONSIBILITIES THAT GO ALONG WITH THE RIGHTS.

AND THE DECLARATION ARTICULATES RIGHTS, BUT I THINK ONE THING THAT SOMETIMES GETS LOST, AND IN THE WESTERN COURT SYSTEM THE JUDGES DON'T UNDERSTAND THE UNDERLYING CONTEXT OF THE RESPONSIBILITIES THAT INDIGENOUS PEOPLE ARE TRYING TO ARTICULATE TO THE LAND, IN PARTICULAR.
IN MY EXPERIENCE, WHEN I HEAR INDIGENOUS GROUPS MAKE CLAIMS WITH LAND THERE'S A HOST OF RESPONSIBILITIES THAT ATTACH, THEY ARE ALSO ADVANCING.
THE ABILITY TO CONTINUE THROUGHOUT TIME TO PAY THEIR OWN DUTY, TO SERVE THEIR OWN DUTY. TO THE EARTH, IT'S CONTINUED VITALITY. AND THE GENERATIONS

TO COME. AND SOMETIMES THAT LANGUAGE DOESN'T GET FULLY FORMED AND IT'S AN IMPORTANT PART OF MAKING OUTSIDERS UNDERSTAND THE DECLARATION AND UNDERSTAND THE RIGHTS THAT INDIGENOUS PEOPLE HAVE FOR THE LAND.
I'M GOING TO PICK IT UP. THE OTHER THING, IT ALL LINKS BACK TO LAND. AND I THANK CARRIE DANN FOR HER COMMENTS. AND REALLY, IF YOU TRY TO THINK ABOUT THE ROLE LANGUAGE PLAYS, THE ROLE CULTURE PLAYS, AND IF YOU JUST THINK IN TERMS OF NATURAL RESOURCES, SO MUCH LINKS BACK TO THE MASSIVE DISPOSSESSION OF LAND. AND IT'S A HUGE SOURCE OF OTHER PROBLEMS WE CONFRONT.

REPATRIATION OF HUMAN REMAINS, PRESERVING THE CULTURES FOR THE FUTURE.
I'M GOING TO LIST THESE BRIEFLY, SOME OF THE ISSUES COMING UP. REPATRIATION ISSUES GOING ON ACROSS THE UNITED STATES.

I'M THE CHAIR OF THE UCLA NAGPRA COMMITTEE AND DEALING WITH REPATRIATION ISSUES, HUMAN REMAINS SUPPOSED TO BE REPATRIATED. THERE'S A LAWSUIT FILED BY PROFESSORS IN THE U. C. SYSTEM TO PREVENT THE REPATRIATION, ON THE GROUNDS THE REMAINS ARE NOT NATIVE AMERICAN AND SHOULD BE SUBJECT TO SCIENTIFIC STUDY. THAT IS A TYPICAL CASE.

AND ALSO I WANT TO MENTION THE GENESIS SOLAR PROJECT AND OCOTILLO EXPRESS WIND PROJECT COMING UP IN THE DESERT TO TRY TO FIND NEW SOURCES OF RENEWABLE ENERGY. AS A RESULT OF INEFFECTIVE CONSULTATION, THERE ARE SACRED PLACES GOING TO BE DESTROYED IF THE PROJECTS GO FORWARD AS QUICKLY

AS THEY ARE PLANNED. I HAVE A PICTURE HERE, AT THE GENESIS SOLAR SITE. IT'S BELIEVED TO BE OVER 10,000 YEARS OLD AND WILL BE DESTROYED.

THERE ARE NUMEROUS PLACES LIKE THIS. IT'S NOT THE ONLY ONE. THESE ARE ISSUES, PRESSING ISSUES OF CONCERN.

IN CLOSING I WANT TO SAY THAT WHAT WE'RE SEEING NOW, ESPECIALLY IN REGARD TO LANDS AND SACRED PLACES, IS A MASSIVE PUSH FOR DEVELOPMENT AND EXTRACTIVE INDUSTRY. INCREASING GLOBAL POPULATION, AND ENORMOUS WEALTH WE FIND IN NATURAL RESOURCES. INDIGENOUS PEOPLE ARE THE MOST VULNERABLE IN THE WORLD IN THAT REGARD. THERE'S NO GROUP OF PEOPLE THAT CARES MORE ABOUT THE EARTH, IT'S RESOURCE AND CONTINUED VITALITY. AND THE VOICE OF INDIGENOUS GROUPS AND OF THE PEOPLE IN THE ROOM IN PROTECTING THE RESOURCES IS VITAL IN MAKING SURE THE DECLARATION IS RESPECTED IN REGARDS TO SACRED PLACES.

AND I WANT TO SAY, IN ADDITION, AS A STRATEGIC MATTER, WE CAN PROBABLY DEBATE THIS, I THINK IN MY VIEW, THERE'S A LONG HISTORY IN THE UNITED STATES EMBODIED IN TREATIES. GOVERNMENT TO GOVERNMENT RELATIONSHIP AND THE HISTORY OF THE RELATIONSHIP BETWEEN TRIBES AND THE UNITED STATES GOVERNMENT. RESPECTING INDIANS TRIBES AND NATIONS AS NATION AND UNDERSTANDING THEM AS SOVEREIGN.

ONE IMPORTANT STRATEGIC POINT TO EMPHASIZE TO THE UNITED STATES. ENFORCEMENT OF THE PROVISIONS MAY BE A SLIGHT ADVANCEMENT. BUT NOT A

DEPARTURE. IT'S CONSISTENT WITH THE OBLIGATIONS THAT THE UNITED STATES ARTICULATED AND BOUND ITSELF TO IN REGARDS TO INDIGENOUS PEOPLE, AND THEY DON'T NEED TO BE AFRAID. THIS IS REALLY JUST A CONTINUED EXPRESSION OF THOSE RIGHTS.

OBVIOUSLY, THERE'S MANY EXAMPLES TO THE CONTRARY. NEVERTHELESS, IT'S IMPORTANT THAT WE FRAME THE DECLARATION IN THAT WAY.

WITH THAT I CLOSE WITH IN MY LANGUAGE, -- (NATIVE LANGUAGE) IT MEANS ALL MY RELATIONS. WE ARE ALL RELATED AND I THANK YOU VERY MUCH.

LEONARD GORMAN: LAST PERSONP SPEAKING FOR THE PANEL. IN RESPECT TO THE ARTICLES, THE DECLARATION, MEDIA, CONVEYING INFORMATION AND PROTECTING THOSE CULTURAL EXPRESSIONS IN THE PROPERTIES OF INDIGENOUS PEOPLE AND INDIVIDUALS. SHE REMINDS ME OF ARTICLE 16, TALKING ABOUT INDIGENOUS PEOPLE HAVE THE RIGHT TO ESTABLISH THEIR OWN MEDIA IN THEIR OWN LANGUAGE AND TO HAVE ACCESS TO ALL FORMS OF NON- INDIGENOUS PEOPLE WITHOUT DISCRIMINATION.

I DRIVE TO WORK EVERY DAY, AND FRAME MY WORK DAY BASED ON ONE LANGUAGE. ENGLISH. I DRIVE DOW N THE STREET, THE STREET SIGN SAYS STOP, IN ENGLISH. HIGHWAY 264, IT'S IN ENGLISH. IT'S AMAZING, I FRAME MY DAILY LIFE EACH MORNING, BASED ON ENGLISH LANGUAGE.

THIS IS INDIVIDUAL HAS HAD THE OPPORTUNITY TO BE A WRITER, LECTURER, CURATOR AND POLICY ADVOCATE HELPING NATIVE PEOPLE PROTECT SACRED PLACES. SHE HAS DEVELOPED KEY LAWS IN FOUR DECADES TO PROMOTE AND PROTECT NATIVE NATIONS SOVEREIGNTY, CHILDREN, ARTS, CULTURE AND LANGUAGES. INCLUDING THE AMERICAN INDIAN RELIGIOUS FREEDOM ACT. NATIONAL MUSEUM OF THE AMERICAN INDIAN ACT. NATIVE AMERICAN GRAZE PROTECTION, AND EXECUTIVE ORDER INDIAN SACRED SITES. A FORMER EXECUTIVE DIRECTOR AND NOW PRESIDENT OF MORNING STAR INSTITUTE. I INTRODUCE DR. SUZAN HARJO.

SUZAN HARJO: I WANT TO EXPRESS MY APPRECIATION TO THE SPECIAL RAPPORTEUR, A LONGTIME FRIEND AND COLLEAGUE. I'M PROUD OF THE WORK YOU ARE DOING. AND THANK YOU FOR ASSURING WE HAVE THESE KINDS OF FORUMS TO EXPRESS OUR VIEWS OF THE DECLARATION.

ALSO, I WANT TO THANK THE UNIVERSITY OF ARIZONA FACULTY AND STAFF, AND ADMINISTRATORS, AND ESPECIALLY THE STUDENTS, THE HARDEST WORKING PEOPLE I HAVE EVER SEEN AT A CONVENTION. AND THANKS FOR DOING SO WELL FOR US. AND TREATING US SO WELL.

I WANT TO BEGIN BY SAYING THAT ESPECIALLY IN LIGHT OF MY DINE' AND CHEYENNE BROTHER HERE, WHO CALLED OUT (INAUDIBLE) FOR THE CHEYENNE PEOPLE, THAT'S THE GREAT MYSTERIOUS.

THAT'S WHAT WE'RE A PART OF, THE GREATEST MYSTERY THAT ANYONE HAS EVER COME UP WITH, AND WE'RE WORKING OUR WAY THROUGH THE MYSTERY AND WE

UNDERSTAND ALL WILL BE REVEALED AT SOME POINT. IT GETS REVEALED LIGHTLY AND ONLY AROUND THE EDGES IN OUR LIFETIME.

YESTERDAY OUR FRIEND WENDSLER??, APACHE, TALKED ABOUT THE SAME THING THAT THE (INAUDIBLE) PEOPLE WROTE, TOLD BY THE PROPHET SWEET MEDICINE. IF WE STOP BEING THE CHEYENNE PEOPLE, AS HE SAID, THE APACHE PEOPLE, IF ALL OF US STOP BEING NATIVE PEOPLE, CHAOS WILL ENSUE.

WE'RE THE PEOPLE THAT PRAY FOR THE GOOD DAY, DO THE THINGS WE ARE SUPPOSED TO DO AND HAVE DONE FOR MILLENNIA. IN OUR SACRED HERITAGE, LANGUAGES AND REFLECTING CULTURES, WHO THE PEOPLE ARE, WHAT THE PEOPLE WANT, AND HOW THEY ARE GOING TO LIVE WITH WHAT WE HAVE BEEN PRESENTED WITH. CONFRONTED WITH.

WE ARE THE EVIDENCE OF OUR ANCIENT CULTURAL CONTINUUM.
AND WE ARE REMINDED ON A DAILY BASIS, BY ELDERS, CHILDREN, BY EVERY SMALL VOICE, THAT WE HAVE TO KEEP BEING THE PEOPLE WE WERE MEANT TO BE IN THE PLACES WE WERE MEANT TO BE, WITH THE SPIDER SWEET MEDICINE SAID WOULD COME FROM A DISTANT PLACE AND CUT LINES IN MOTHER EARTH AND MAKE SOMETHING THAT LOOKS LIKE A SPIDER WEB, AND YOU SEE THAT FROM AN AERIAL VIEW. THE SPIDER WEB. THE PATTERN. THAT'S WHY WE CALL THE PERSON, THE SPIDER.

IT'S NOT ABOUT RACE, IT'S NOT ABOUT GENDER, IT'S NOT ABOUT PLACE OF ORIGIN. IT'S ABOUT PRACTICE, BEHAVIOR, WHAT THE PEOPLE DO, WHAT THEY HAVE BEFORE

THEM.

IT WASN'T ENOUGH FOR US TO MAKE TREATIES AND GRANT THE NEWCOMERS WITH SUFFICIENT LAND FOR THEM TO MAKE A COUNTRY.

THEY HAD TO TRY TO BREAK THE SPIRITS. AND THE MIRACLE IS NOT THAT WE SURVIVED, BUT THAT WE SURVIVED WITH OUR SPIRITS INTACT.
AND THAT'S DESPITE REALLY HARD EFFORTS. OVER A HALF CENTURY OF CIVILIZATION REGULATIONS, FEDERAL RULES THAT OUTLAWED AS DANGEROUS THE SUNDANCE AND ALL OTHER SO-CALLED CEREMONIES, THE ACTS OF A MEDICINE MAN, CHARACTERIZED THEM AS PAGAN AND HEATHEN. ISSUED THE KINDS OF REGULATIONS, NO ROAMING OFF THE RESERVATION, YOU DO NOT LEAVE TO GO TO THE SACRED PLACES WITHOUT THE EXPRESS PERMISSION, A WRITTEN NOTE FROM THE FEDERAL INDIAN AGENT.

THESE WERE RULES PUT IN PLACE WITHOUT ANY AUTHORIZING LAW ENFORCEMENT PUT IN PLACE BY THE SECRETARY OF THE INTERIOR, SEVERAL OF THEM, FROM 1880 TO THE 1930S. THINK HOW LONG IT WAS. IF YOU WONDER WHY IT IS THAT OUR LANGUAGES ARE RIGHT ON THE EDGE OF EXTINCTION AND SO MANY SACRED PLACES ARE IN DANGER OF BEING BULLDOZED OR POISONED OR RECREATED TO DEATH, IT'S BECAUSE OF THINGS SET IN MOTION BY THE CIVILIZATION REGULATIONS, THAT CODIFIED WHAT WAS TO HAVE BEEN THE FINAL SOLUTION FOR US. CRIMINALIZED EVERYTHING THAT MAKES US NATIVE PEOPLE.

THEY WANTED US TO STOP BEING THE CHEYENNE PEOPLE. MUSKOGEE, WANTED US TO STOP BEING THE PEOPLE OF THE EARTH, OF THESE WATERS. WE HAVE RELIGIOUS INSTRUCTIONS THAT YOU CAN'T COMPLETE A CERTAIN KIND OF CEREMONY WITHOUT JUMPING IN THE CLEAR BLUE STREAM AND BOY, THESE ARE GETTING HARD TO FIND.

THESE CULTURAL RIGHTS ARE THE BASIS FOR EVERYTHING ELSE IN OUR LIVES.
AND IF THEY ARE NOT, NOTHING ELSE GOES RIGHT. THESE ARE THE FOUNDATIONS, THE UNDERGIRDING STRENGTH OF OUR PEOPLES.

SO WE REALLY HAVE TO TAKE CARE OF THEM. AND WHEN I SEE SOME OF THE NATIVE PEOPLE. BEHAVING LIKE I (INAUDIBLE). AND BUILDING CASINOS ON THE SACRED PLACES. IT'S HAPPENING ON MUSKOGEE HICKORY GROUND. HISTORIC PLACE, BURIAL GROUND. DIGGING UP THE ANCESTORS, AND AFTER A DECADE, JUST ALMOST THROWING THEM BACK IN THE GROUND WITHOUT TELLING THE TRADITIONAL PEOPLE WHAT THEY WERE DOING. THIS IS A HORRIBLE WAY TO BEHAVE AND IT'S NOT A GOOD SIGN OUR OWN PEOPLE ARE BEHAVING LIKE (INAUDIBLE) WE HAVE TO STOP THAT FOR OUR OWN PROTECTION.

WE HAVE A LOT OF GOOD LAWS WE PUT IN PLACE. A LOT OF US WORKED HARD ON NATIONAL NATIVE EFFORTS AND HAVE LOTS OF NON- NATIVE FRIENDS THAT HELPED US GAIN PROTECTIONS FOR OUR ANCESTORS, PROTECTION FOR RELIGION, OUR LANGUAGES. WE HAVE GREAT LAWS THAT ARE IN PLACE THAT WE CAN BUILD ON.
AT THE SAME TIME, THERE'S A LOT OF WHITE GLOVE RACISM THAT LEAVES NO FINGERPRINTS. BUSY BUSY BUSY, UNDERMINING THE LAWS. EVERY SECOND OF EVERY DAY.

WE NO LONGER SEE THE NO INDIANS OR DOG SIGNS, THEY HAVE BEEN IT TAKEN INSIDE, UNFORTUNATELY, IN THE HEARTS OF SOME OF THE PEOPLE.
WE'RE MADE FUN OF ON NATIONAL TELEVISION, AND WHEN YOU HAVE A PUNDIT SAYING: GET OVER IT. WE CAN'T GET OVER IT, IT'S NOT OVER. THE ASSAULTS UPON THE LANGUAGES, ON OUR CULTURAL RIGHTS, THE ASSAULTS ON OUR -- THE THINGS WE HOLD AND THINGS WE CAN'T SEE.
IMPORTANT TO US.
ARE GOING ON NOW, GOING ON DAILY, GOING ON MINUTE BY MINUTE. AND WE JUST HAVE TO TRAIN MORE AND MORE YOUNG PEOPLE TO BE THE ONES TO COMBAT THIS.
I HAVE A WRITTEN STATEMENT THAT HAS A LOT OF RECOMMENDATIONS THAT HAVE BEEN BUILT ON, AND REFINED AND WORKED ON BY THE NATIONAL CONGRESS OF AMERICAN INDIANS. A LOT OF NATIVE NATIONS. GOOD LEADERS OF NATIONS AND ORGANIZATIONS HAVE WORKED ON THE CULTURAL RIGHTS AGENDA. WE'RE NOT FINISHED. IN SOME CASES JUST GETTING STARTED.

FOR YOUNG PEOPLE WHO MAY BE LISTENING TO THIS OR STUDENTS THINKING, "THEY HAVE DONE EVERYTHING." WE HAVE DONE SOME BIG THINGS AND SOME GOOD THINGS, THERE'S A LOT LEFT TO DO AND I HOPE THAT PEOPLE WILL TAKE A LOOK AT THESE RECOMMENDATIONS. SOME OF THEM ARE BIG IDEAS, SOME ARE TINKERING. BECAUSE OF WHAT'S HAPPENING AS PEOPLE TRY TO DISMANTLE THE GOOD LAWS, THEY ARE UNDERMINING US, BIT BY BIT, BY BIT. AND TRYING TO DISTRACT US. KEEP OUR MINDS OFF THE MAJOR THINGS WE HAVE TO DO. AND WE HAVE A LOT OF EMERGENCY THINGS, MAJOR THINGS, BUT WE CAN'T IGNORE ALL THESE THINGS

HAPPENING. WE HAVE ALL SORTS OF THREATS AT EVERY DOOR OF OUR HOMES AND HAVE TO TAKE CARE OF ALL OF THEM AND ALL OF A SUDDEN, AND ALL AT ONCE.

THANK YOU FOR INVITING ME HERE, AND PERMITTING ME TO EXCEED MY TIME BY A MINUTE. THANK YOU.
ANOTHER ROUND OF APPLAUSE TO THE PANEL MEMBERS.

ROBERT WILLIAMS: WE ARE RUNNING BEHIND. WE ARE GOING UNTIL ABOUT 10:25. WE WILL COME BACK PROMPTLY. DEPENDING ON HOW THE BREAK MOVES AND 15 MINUTES LATER STARTING AT -- HOW MANY DO WE HAVE TOTAL, SEANNA, 15. WE MIGHT GET FIVE OR SIX. WE'RE GOING TO CAUCUS, WE HAVE THE OPEN FORUM AND MAYBE TIME IN THE NEXT PANEL. TAKE ABOUT FIVE FOLKS NOW.

LEONARD GORMAN: WITH RESPECT TO THOSE THAT SPOKE YESTERDAY. GIVE TIME TO THOSE THAT HAVEN'T HAD THE CHANCE. FIVE INDIVIDUALS COME ON DOWN.

LINDA, SALLY, VIVIANA, MONICA, OFELIA.
IN THE BOOKLET PROVIDED PAGE 33, TALKS ABOUT THE PROCESS OF SUBMITTING INFORMATION AND (INAUDIBLE)

>> (SPEAKING NAVAJO.)
GOOD MORNING.
I'M REPRESENTING THE NATIVE AMERICAN CHURCH, INCORPORATED IN THE STATE OF OKLAHOMA AND HAVE BEEN SO SINCE 1918. I'M DINE' AND A PREVIOUS EXECUTIVE

OFFICER OF THE NACNA

FOR SEVERAL YEARS, I HAVE HAD THE PRIVILEGE OF SERVING AS PRO BONO LEGAL COUNCIL ALONG WITH CO-COUNSEL STEVE MOORE, NATIVE AMERICAN RIGHTS FUND AND JAMS???, WITH WISCONSIN -- THE NACNA SUBMITTED A WRITTEN STATEMENT. I WOULD LIKE TO HIGHLIGHT TWO POINTS THAT WE WANT ON THE RECORD.
GREETINGS TO SPECIAL RAPPORTEUR, IT'S A PLEASURE TO SEE YOU, THANK YOU FOR ALL YOUR WORK. DISTINGUISHED PANELISTS THAT LAID THE GROUNDWORK FOR THIS PARTICULAR TOPIC. IT'S WONDERFUL TO HEAR THE COMMENTS.
I'M MAKING COMMENTS ON BEHALF OF PRESIDENT, ARMY??, CHIPPEWA CREE AND LEADING THE ORGANIZATION FOR THE LAST SIX YEARS.

TODAY I'LL SPEAK ABOUT THE SACRED HERB, PEYOTE. IT'S BEEN A CENTRAL SACRAMENT TO GROUPS IN NORTH AND CENTRAL AMERICA FOR 10,000 YEARS.
FOR ABOUT 100 YEARS, THIS WAY OF WORSHIP IS KNOWN AS NATIVE AMERICAN CHURCH. IN THE EARLY YEARS, NATIVE AMERICAN CHURCH DEFENDED THEIR RELIGIOUS FREEDOM, FORMING NON- PROFIT ORGANIZATIONS, OF WHICH WE ARE ONE.
AS I STATED EARLIER, IT ORIGINATED IN 1918 IN OKLAHOMA. ESTABLISHED TO PRESERVE AND PROTECT THE FREE EXERCISE OF RELIGIOUS PRACTICES AND BELIEFS.

TODAY WE'RE A STRONG CHURCH, DUE IN PART TO A '94 FEDERAL LAW THAT ESTABLISHED A CLEAR AND PROTECTED RIGHT FOR INDIANS TO USE THE HOLY MEDICINE IN RELIGIOUS CEREMONY. ALL THE SACRAMENT THE MEMBERS USE GROWS NATURALLY IN THE UNITED STATES, IN SOUTHERN TEXAS, A SEGMENT OF THE RIO GRANDE. WHERE THE SACRAMENT GROWS IS REFERRED TO AS A PEYOTE GARDEN.

THE SACRAMENT IS HARVESTED BY STRICTURES??, AND IT IS REGULATED BY THE TEXAS DEPARTMENT OF PUBLIC SAFETY AS WELL AS THE FEDERAL DRUG ENFORCEMENT AGENCY. MANY OF THE MEMBERS MAKE THE PILGRIMAGE SEVERAL TIMES A YEAR AND BEFORE THEY LEAVE, THEY WILL OFFER PRAYER. WHEN THEY GET TO THE SACRED SITE, AND OFFER PRAYER WHEN THEY RETURN HOME.
IN RECENT YEARS, THERE'S A DEVELOPING CONCERN REGARDING THE HEALTH AND SUSTAINABILITY OF THE SACRAMENT IN TEXAS. DIMINISHED QUANTITY, AND WHAT WE WOULD LIKE TO BRING IN YOUR ATTENTION, BY ALL INDICATIONS IF THE TREND CONTINUES WE ARE GOING TO BE IN A CRISIS STATE WHERE THOUSANDS OF NATIVE AMERICANS, WHO PRACTICE THIS WAY OF WORSHIP, THE SUPPLY WILL BE NOT ISSUED OR UNAVAILABLE.

THE LAST POINT I WOULD LIKE TO MAKE, THE DECLARATION PLACES A HIGH RECALL?? ON PROTECTING THE INTEGRITY OF CULTURAL RIGHTS. AND I MUST STATE ON BEHALF OF NACNA WE FACE MANY PROBLEMS TODAY. MANY MEMBERS CONFRONTED WITH UNJUST TREATMENT, WRONGFULLY ARRESTED FOR THE POSSESSION AND TRANSPORTING, USE OF THE SACRAMENT AND MANY INSTANCES CONFISCATED BY THE OFFICIALS AND TREATED IN A DISRESPECTFUL WAY AND WE WANT IT BROUGHT TO YOUR ATTENTION.

MANY MEMBERS FACE PREJUDICIAL TREATMENT, DISCRIMINATION AND EMPLOYMENT AND DISCRIMINATION AGAINST PAROLEES. ONE CONCERN, WE'RE CONTINUING TO FIND NON- NATIVES EXPLOITING THE CEREMONY, SOMETIMES FOR PROFIT.
IN CLOSING THE MISSION IS TO PRESERVE THE DIVINE MEDICINE FOR GENERATIONS.

THE SACRAMENTAL USE OF PEYOTE IS CENTRAL TO OUR WAY OF WORSHIP.
THE DECLARATION, I FOUND 11, 12 AND 31 RELEVANT TO SUPPORT OUR MISSION. FOR THESE REASONS WE BRING THESE MATTERS TO THE ATTENTION OF THE RAPPORTEUR. WE APPRECIATE YOUR TIME AND ASK YOU ALSO REVIEW THE WRITTEN STATEMENT WE SUBMITTED. THA NK YOU VERY MUCH.
>> SALLY GONZALES.

SALLY GONZALES: THANK YOU. GOOD MORNING, I'M VERY HONORED TO BE HERE. SO, I WAS GOING TO READ MY PRESENTATION, BUT I THINK, SINCE WE'RE MAKING IT AVAILABLE, I WOULD LIKE TO SPEAK ON THE ISSUE OF ETHNIC STUDIES AND WHAT'S HAPPENING IN ARIZONA AND THE POLICIES HAPPENING HERE.
FIRST, AGAIN I WOULD LIKE TO INTRODUCE MYSELF. I AM A MEMBER OF THE YAQUI TRIBE, AND I'M HERE REPRESENTING VARIOUS GROUPS, FIRST OF ALL, MY COMMUNITY, PASCUA YAQUI. MY NATIVE AMERICAN CAUCUS, AT THE STATE LEGISLATURE, ONE OF THREE IN OUR NATIVE AMERICAN CAUCUS, AND REPRESENTING A GROUP I WORK WITH CLOSELY, THE NATIVE AMERICAN DIRECTIONS ASSOCIATION, AND WE WORK HARD TO PROMOTE EDUCATION OF OUR INDIGENOUS PEOPLE IN PARTICULAR IN THE YAQUI COMMUNITY IN SCOTTSDALE, ARIZONA. I'M ORIGINALLY FROM GUADELOUPE, AROUND PHOENIX.

BUT ESPECIALLY I'M HERE, LIKE MY COLLEAGUE SAID, FOR MY GRANDCHILDREN AND GREAT GRANDCHILDREN YET TO BE BORN. I'M A MOTHER OF FIVE DAUGHTERS, AND A GRANDMOTHER OF 21 GRANDCHILDREN.

AND I'M BLESSED. MY HUSBAND AND I ARE BLESSED TO HAVE ALL THESE. WHAT I WOULD LIKE TO BRING BEFORE THE SPECIAL RAPPORTEUR IS THE POLICIES HAPPENING HERE IN ARIZONA, AND WE NEED YOUR HELP, EVERYBODY IN THE AUDIENCE HELP, WITH WHAT'S HAPPENING.

AS YOU KNOW, THERE'S A PATTERN OF SOME OF THE POLICIES THAT HAS BEEN HAPPENING AGAINST INDIGENOUS PEOPLE, LANGUAGE AND CULTURE IN THE STATE OF ARIZONA, STARTING WITH '92 THE FLORES CASE VERSUS ARIZONA FILED BY THE PARENTS OF NOGALES UNIFIED SCHOOL DISTRICT. THEY FELT THE STATE FAILED TO PROVIDE A PROGRAM OF INSTRUCTIONS THAT INCLUDED ADEQUATE LANGUAGE ACQUISITION, ACADEMIC INSTRUCTION AND FUNDING FOR LOW-INCOME FAMILIES AND MINORITY STUDENTS AND THAT VIOLATED FEDERAL EQUAL OPPORTUNITY ACT. ARIZONA VOTED FOR PROP 203, ENGLISH FOR THE CHILDREN.

IT BASICALLY ABOLISHED BILINGUAL PROGRAMS IN FAVOR OF THE SHELTERED ENGLISH IMMERSION PROGRAMS. 2010, THE INFAMOUS 1070, NOW HEARD AT THE NATION'S HIGHEST COURT, IS REALLY AFFECTING US.

AS YOU ALL KNOW, YAQUI AND TOHONO O'ODHAM, AND OTHER TRIBES HAVE MEMBERS ON BOTH SIDES OF THE BORDER. THE BORDER ISSUE. IMMIGRATION IS A BIG ISSUE HERE IN THE STATE OF ARIZONA AND WE FEEL MY COLLEAGUES AT THE STATE LEGISLATURE ARE HANDLING THIS IN A MEAN SPIRITED WAY.
WE NEED TO BAND TOGETHER, AND I'D LIKE TO REMIND ALL OF US, ONCE THE AMERICAS HAD NO BOUNDARIES. FOR US, IT'S THE BELIEF OF GOOD PEOPLE. THERE

ARE NO BORDERS ACROSS THE CONTINENTS AND WE REALLY NEED EVERYBODY TO GET INVOLVED AND BAND TOGETHER.

AND LASTLY, I WANT TO SAY, MY MAIN TOPIC. 2010, AFTER 1070, THE STATE LEGISLATURE, PASSED H. B-25 281 ?? BANNED, BASICALLY ETHNIC STUDIES. IN PARTICULAR, THEY DID IT, IT WAS SPECIAL LEGISLATION, TUSD, AND MEXICAN-AMERICAN STUDIES PROGRAM. TO US, NOT ONLY WITH OUR TRIBES BUT ALSO IN ARIZONA, IS THAT THEY ARE NOT JUST DOING IT TO MEXICAN-AMERICAN STUDIES PROGRAM.

AND I WANT TO READ IN CLOSING, REMIND MY FELLOW INDIGENOUS PEOPLE HERE TODAY. THAT -- I HAVE NOT SEEN TOO MANY INDIGENOUS PEOPLE IN OUR PROTEST ON THESE REALLY DISCRIMINATORY LAWS IN ARIZONA. I THINK BECAUSE WE GET INTO A -- BECAUSE WE ALSO TRY TO WORK THE IMMIGRATION ISSUE IN. HOWEVER, AND WE FORGET THE INDIGENOUS PEOPLE COMING ACROSS THE BORDER AND ARE INDIGENOUS, AND REMIND US, IF MEXICAN, THE MEXICAN PEOPLE, ARE PART OF US.

THE WORD MEXICAN ITSELF, COMES FROM MESTIZO, WHICH MEANS INDIGENOUS. AND THE SPANISH COMBINATION OF BOTH. I WOULD LIKE AS MANY PEOPLE TO JUST TO REMIND US, THESE ARE OUR PEOPLE BEING ATTACKED. AND TUSD, AND THOSE COMING ACROSS THE BORDER.

I WOULD REALLY ENCOURAGE EVERYBODY TO READ MY DOCUMENT AND DR. TRUJILLO IS CONTINUING SPEAKING BUT READ IT AND TO PLEASE COME ON BOARD AND HELP US WITH THE DISCRIMINATION WE ARE HAVING HERE IN ARIZONA. I THANK YOU.

LEONARD GORMAN: WE'RE GOING TO TRY TO SQUEEZE IN FIVE SPEAKERS. THE NEXT SPEAKER, OCTAVIANA -- MONICA?

MONA.

>> I WOULD LIKE TO GREAT EACH OF YOU, GOOD MORNING. AND I'M GRATEFUL TO BE ABLE TO BE HERE.

ON BEHALF THE THE INTERNATIONAL COUNCIL OF 13 INDIGENOUS GRANDMOTHERS. MY PEOPLE ARE OF THE HAVASU, PEOPLE OF THE GRAND CANYON, THE BLUE WATER. AND ALSO ON PATERNAL GRANDMOTHER SIDE HOPI, AND THE TEWA?? AND GRATEFUL AND THANKFUL TO KNOW THAT WE HAVE CONSIDERATION IN THE OFFICE OF THE HIGH COMMISSIONER ON HUMAN RIGHTS, WHO IS ADDRESSING THE ISSUES OF HUMAN RIGHTS FOR THE INDIGENOUS PEOPLE. AND I GIVE THANKS TO YOU, SPECIAL RAPPORTEUR,

JAMES ANAYA. WE HONOR YOU. GIVE THANKS TO YOU. AS I STAND HERE, WE THINK ABOUT OUR GENERATIONS THAT ARE YET TO COME.

THE ONES WE WON'T SEE. OUR ANCESTORS, THEY DID IT FOR US. THAT'S WHY WE'RE STILL HERE TODAY. THEY MADE PRAYERS, RECOGNIZED AND ACKNOWLEDGED THE SACREDNESS OF LIFE. EVERYTHING FROM WITHIN MOTHER EARTH ALL THE WAY TO THE SURFACE AND UP TO THE UNIVERSE.

AND SO WHEN I THINK ABOUT THE DECLARATION, I THINK ALSO OF IT'S CONNECTION TO THE UNIVERSAL DECLARATION ON HUMAN RIGHTS. AND EVEN THOUGH THAT DECLARATION WAS PASSED OVER 60 YEARS AGO, ISN'T IT A SHAME THAT IT'S ONLY

BEEN AROUND FIVE YEARS OR SO THAT INDIGENOUS PEOPLE HAVE BEEN RECOGNIZED AND ARE NOW BEING KNOWLEDGED AS HAVING HUMAN RIGHTS. AND SO, I THINK ABOUT ALL OF THOSE ANCESTORS AND RELATIVES, THE ONES THAT STOOD THEIR GROUND, THAT DIDN'T GIVE UP IN ORDER FOR US TO GET TO WHERE WE ARE HERE TODAY. I THINK OF ALL THOSE ELDERS, CHIEF SHENANDOAH, PHILLIP DEER, GRANDFATHER, DAVID -- THOSE RELATIVES, ELDERS.
I THINK ABOUT THAT DAY, THAT TIME, ON THAT HUMAN RIGHTS, THE DAY OF HUMAN RIGHTS.

THAT DAY THEY STOOD IN FRONT OF THE UNITED NATIONS AND THEY LIT THE SACRED FIRE.

THEY LIT THE SACRED FIRE AND MADE THEIR PRAYERS BEFORE THEY WALKED IN. THAT WAS WHAT THEY DID. I WANT TO READ ONE PIECE THAT HAS TO BE READ. AND IT'S THAT THERE'S A PIECE THAT NEEDS TO BE ACKNOWLEDGED AND RECOGNIZED. AND IT'S THE ROOT OF THIS ISSUE. THE ROOT OF OUR ISSUES THAT WE FACE AS INDIGENOUS PEOPLE.

IT'S THAT, I WANT TO BRING TO LIGHT THERE'S A BOOK, THE BOOK IS TITLED "FEDERAL AND STATE CONSTITUTIONS, COLONIAL CHARTERS AND OTHER ORGANIC LAW OF THE UNITED NATIONS". IT WAS PUBLISHED IN 1877, BY THE US GOVERNMENT PRINTING OFFICE. IT DEMONSTRATES THAT THE UNITED STATES IS SUCCESSOR STATE FROM THE PREROGATIVES OF COLUMBUS FROM THE KING AND QUEEN OF SPAIN 1492. THE SUCCESSOR STATE TO THE VATICAN PAPAL BULL OF (INAUDIBLE) THESE TWO DOCUMENTS PROVIDE EVIDENCE THAT THE US INDIAN LAW AND POLICY, BASED ON

DOMINATION OF AMERICAN NATION AND PEOPLES. FURTHER EVIDENCE FOUND IN THE US SUPREME COURT RULE. JOHNSON V MCINTOSH. CHRISTIAN PEOPLE ASSERTED THE ULTIMATE DOMINION, AS AGAINST NATIVES WHAT WERE HEATHENS OR NON- CHRISTIANS. DISCUSSIONS OF INDIAN LANDS AND WATER RIGHTS TAKE PLACE IN THE CONTEXT OF THESE ANCIENTS DOCUMENTS.

THE UNDERLYING ARGUMENT IS BECAUSE OUR INDIGENOUS ANCESTORS WERE NOT CHRISTIAN AT THE TIME CHRISTENDOM INVADED THE HEMISPHERE, THEREFORE OUR NATION AND PEOPLES ARE SUBJECT TO OVERRIDING DOMINATING AND EXERCISE OF POWER BY THE UNITED STATES.

OTHERWISE KNOWN AS THE DOCTRINE OF DISCOVERY, WHICH CONTINUES TO BE USED IN COURT CASES RELATED TO LAND AND NATURAL RESOURCES OF INDIGENOUS PEOPLES.

AND SO, THIS IS AN IMPORTANT PIECE THAT NEEDS TO BE CONSIDERED.

IT NEEDS TO BE ACKNOWLEDGED BY THE UNITED STATES.

THAT THE DOCTRINE OF DISCOVERY IS STILL USED IN CASES THAT ARE NOW BEFORE OUR COURTS.

ESPECIALLY WHEN IT COMES TO OUR LAND, SACRED PLACES AND OUR NATURAL RESOURCES. THANK YOU FOR GIVING ME THIS TIME TO SPEAK.

GETTING CLOSE, OFELIA.

OFELIA: (NATIVE LANGUAGE).

I WANT TO SAY, GOOD MORNING AND FROM OUR O'ODHAM LANDS. WE WELCOME EVERYBODY THAT CAME FROM A LONG DISTANCE AND TELL YOU OUR ANCESTORS ARE HERE WITH US.

AND THE THING I WANT TO SAY AT THIS MOMENT MIGHT BE A LITTLE HURTFUL TO SOME PEOPLE. IF I DIDN'T SAY IT, BECAUSE WE'RE HERE DISCUSSING THE PROTECTION AND RIGHTS AS INDIGENOUS PEOPLE. I WANT TO ASK THIS MAN, GENTRY, TO PLEASE STOP USING THE NAME OF OUR FIGURE, OUR SACRED FIGURE, THAT I AM NOT ALLOWED TO SAY THIS NAME THAT HE USES AS HIS NON- PROFIT ORGANIZATION NAME. THAT'S HOW MUCH RESPECT WE HAVE IN OUR WAY OF LIFE.

AND BECAUSE WE'RE DISCUSSING THE DOCUMENT, IT'S A DOCUMENT WE SHOULD ALL EMBRACE AND STAND BEFORE, BECAUSE THIS IS MONUMENTAL FOR US INDIGENOUS PEOPLE HERE. I WANT TO ASK THAT, FIRST OF ALL. AND I WANT TO START TALKING ABOUT OUR RIGHTS AS INDIGENOUS PEOPLE AND ALL THE VIOLATIONS, GREAT VIOLATIONS HAPPENING HERE ON O'ODHAM LANDS. BECAUSE OF THIS GOVERNMENT, THE UNITED STATES, THAT HAS RESTRICTED OUR MOVEMENT OUR WAY OF LIFE, BY ENFORCEMENT OF THE IMMIGRATION POLICIES.

AS ORIGINAL PEOPLE WE HAVE DIFFICULTY CROSSING OUR LANDS. THREE CHECKPOINTS, ON THE TOHONO O'ODHAM RESERVATION. WHICH IS A THIRD OF O'ODHAM LANDS. AND WHEN WE SAY RESTRICTIONS, IT MEANS IF YOU DON'T HAVE THE PROPER DOCUMENTS YOU HAVE NO RIGHT TO MOVE IN THE LANDS. IF YOU CAN'T PRODUCE A PROPER VISA OR PASSPORT, IT'S DIFFICULT TO PASS THROUGH THE US/ MEXICO BORDER.

AND ALL HUMAN VIOLATIONS THAT OCCUR, I WITNESSED THE BORDER PATROL HOLD WEAPONS TO MY ELDERS AND I CAN'T DO ANYTHING. I HAVE WITNESSED NUMEROUS VIOLATIONS, HUMAN RIGHTS VIOLATIONS, SEVERE, THAT INJURE OUR PEOPLE, DETAIN

OUR PEOPLE. ARREST AND DEPORT OUR PEOPLE TO OUR OTHER LANDS, SOUTHERN AREA OF OUR LANDS IN MEXICO. AND I PERSONALLY HAD A GUN HELD TO MY HEAD TO SAY I WAS A US OR MEXICAN CITIZEN, WHEN I INSISTED I'M O'ODHAM. THIS IS MY LAND. YOU ARE A FOREIGN GOVERNMENT. WE DID NOT INVITE YOU HERE. YOU ARE VIOLATING ALL CONVENTIONS OF THIS WORLD TO RESTRICT MY MOVEMENT AND WAY OF LIFE.

AND I FURTHER WANT TO SAY THAT AMNESTY INTERNATIONAL RELEASED A REPORT MARCH 28, THAT HAS RECOMMENDATION, I THINK SUBMITTED TO YOU ALREADY.

AND I'M SURE WE CAN TALK ABOUT THAT, THE RECOMMENDATION. BUT THE MAJOR POINT IS THAT WE ARE HERE NOW, AND THAT IN ALL DUE RESPECT, WE WANT TO URGE YOU SPECIAL RAPPORTEUR, AND HIGH COMMISSIONERS HERE, THIS IS MONUMENTAL STEP THAT WE ARE TAKING. BE STRONG IN YOUR WORDS TO THIS GOVERNMENT. IT'S NOT ONLY IS A VIOLATION TO MY WAY OF LIFE BUT ALL LIFE THAT IS UNBALANCED RIGHT NOW BECAUSE OF INTRUSIONS.

AND I WANT TO SAY, THIS UNIVERSITY I HAVE BOYCOTTED FOR 10 YEARS. IT ALSO RECEIVES FUNDING FROM HOMELAND SECURITY TO DEVELOP SPY TECHNOLOGY AND WEAPONS OF WAR THAT THEY USE ON MY PEOPLE 75-MILES FROM HERE. YOU SEE ENORMOUS FORCES OF BORDER PATROL. ELDERS GOING OUT TO HARVEST FOOD AND MEDICINE. EVERY INCH OF THE WAY, THEY STOP AND ASK FOR DOCUMENTS. AND WE, AS ORIGINAL PEOPLE OF THE LAND, WE NEED TO HAVE IT STOPPED AND I URGE YOU TO BE STRONG IN THOSE WORDS AND STAND FOR ALL OF US, BECAUSE THAT'S YOUR RESPONSIBILITY.

THANK YOU.

ROBERT WILLIAMS: A 15 MINUTE BREAK. WE WILL START AT 10:40 AND ANNOUNCE HOW WE WILL PROCEED. THANK YOU.