

## Navajo communities' human rights case to be heard

Written by By Beth Blakeman Managing Editor  
Friday, 30 July 2021 03:04

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### Grassroots nonprofit challenges USA, NRC, State of New Mexico

The petition of a grassroots nonprofit known as Eastern Navajo Diné Against Uranium Mining to the Inter-American Commission on Human Rights, has been declared “admissible.”

New Mexico Environmental Law Center attorney Eric Jantz says that single word — “admissible” — is a major step forward.

“The take-home here is that the United States has been violating human rights in a context of uranium mining for generations,” he explained. “This is the first time that the state [New Mexico]

and the U. S. have been forced to account for those violations.”

The petition alleges that the United States “by its acts and omissions that have contaminated and will continue to contaminate natural resources in the Diné communities of Crownpoint and Church Rock ... has violated Petitioners’ human rights and breached its obligations under the American Declaration of the Rights and Duties of Man.”

“The Commission’s decision to hear the case, *ENDAUM et al. v. United States of America*, is only the second time that the human rights body, the autonomous organ of the Organization of American States (OAS), based in Washington, D.C., has found admissible a case of environmental justice against the United States,” the Law Center stated in its news release July 19.

“The petition marks the first time the NRC [Nuclear Regulatory Commission] has been forced to account for its decades of human rights violations,” Jantz told the *Sun*.

### **ONE MAN’S PERSPECTIVE**

In testimony given in the petition, Larry J. King, a member of ENDAUM’s Board of Directors, described the importance of the land to his family.

King, who is employed with the Federal Public Health Service and worked as a uranium miner in the Old Church Rock mine, explained that his family buries the umbilical cords of their newborns on family land to bind each child to Mother Earth.

King and his family, whose lives are intertwined with the land, put the significance of his home into words.

“It is a Navajo belief that to maintain harmony, a Navajo must live between the four sacred mountains,” he stated. “In my family, we make prayers to these mountains every morning and

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we feel we are being protected here by the four sacred mountains.”

King told the *Sun* about the canyon near his home.

“The canyon there is full of traditional things that are coded or said in the prayers, like the echoes of the canyon and the highest peaks where the sunlight first hits both peaks when the sun rises, and where the flow of the water starts and the animals that live in the canyon,” he said. “I’ve seen eagles that come out of the area.

“My home in Crownpoint is within these mountains, and so my family belongs here,” he said.

“We don’t need to go back and start destroying Mother Earth again.” He stressed the point in reference to the idea of four new uranium mines being planned for Church Rock and Crownpoint.

### ***MORE AREA MINING PLANNED***

The ENDAUM petition says the State has issued a license to Hydro Resources, Inc. currently owned by Canadian mining company Laramide Resources, Inc., allowing uranium mining at four sites in the Navajo communities of Church Rock and Crownpoint in northwestern N. M., with plans to mine the two sites in Church Rock first and the two sites in the Crownpoint Chapter later.

Under the terms of the license issued by the State through the NRC, HRI may forcibly remove individuals and families from one of the areas identified for mining, or restrict grazing, agriculture, and cultural activities such as plant gathering, during mining operations.

The land where King and his family now reside is very near the site of the Church Rock Chapter in northwestern New Mexico, about five miles east of Gallup.

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King said that being removed during mining operations would be impossible for him. He said he would not be able to relocate.

"We would have no place to go," he said. "Through my father's side, this parcel of land [Section 17] has been in my family's possession for several generations.

"We all live here together on my family's land and we feel at home, at peace, and safe," he said.

King added that for many Navajo people their flocks of sheep and livestock are considered part of the family.

"For the older Navajo people, if their sheep get taken away, they get sick," King said.

Many of Church Rock's residents are Diné and engage in subsistence agriculture and gather medicinal and culturally significant plants from the land.

### ***ENVIRONMENTAL JUSTICE PETITION SCHEDULED***

"This [petition] is a major step bringing forth accountability of the federal government in terms of their policies toward Indigenous People," ENDAUM Director Jonathan Perry said in the news release. "We, the Diné, will continue to stand our ground against any uranium mining activities on or near the Navajo Nation."

"The priority of the U.S. government should always be adequately addressing the 523 clustered contaminated sites on the Navajo Nation, not licensing any new extraction projects," Perry continued. "Especially any ... mining proposals that threaten the well-being of our people, aquifers, and homelands."

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“The Navajo Nation hosts 520 abandoned uranium mine sites and three uranium mill sites that are Superfund sites,” according to the petition. “These sites are the source of contamination for tens of millions of gallons of groundwater and countless acres of land.”

Written arguments in the case are due in August, with a possible 60-day extension, and then a hearing in Washington, D.C. is likely to be scheduled in the spring of 2022, according to Jantz.

### ***WHAT WOULD WINNING MEAN?***

If the licenses for the four new uranium mining operations are revoked as the petition requests, Perry said he can envision at least two future paths.

“It would be appropriate for the Navajo Nation to purchase these areas,” he said. “That way the ban on uranium mines from 2005 could cover this location.”

The second possibility he explored was the idea of working with the Red Water Pond Community Association and others to strategize and push for uranium cleanup for the Navajo Nation and the federal government.

“The issue extends beyond the Navajo Nation with the aquifer,” Perry stated. “We want to consider our local towns such as Gallup and Grants.”

“We’re looking at this area collectively.”

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