



THE NAVAJO NATION

Proclamation

SUPPORTING EASTERN NAVAJO DINÉ AGAINST URANIUM MINING'S PETITION ALLEGING HUMAN RIGHTS VIOLATIONS AGAINST THE UNITED STATES NUCLEAR REGULATORY COMMISSION

THE NAVAJO NATION recognizes the disproportionate negative health, cultural, economic, and environmental impacts as a result of the United States Government's development of nuclear weapons during the Cold War. Despite the Navajo Nation's significant contributions to defeat the Axis powers in World War II, the United States has continued to allow private corporations to extract vast quantities of uranium from Diné lands, abandoning and leaving behind mountains of radioactive and toxic waste. The Navajo Nation has a clear position opposing uranium mining and processing within the Navajo Nation in the Diné Natural Resources Protection Act of 2005; however, the United States Government continues to promote uranium extraction on and adjacent to the Navajo Nation. The ongoing assault on Diné lands, resources, and people is a violation of the Treaty of 1868, Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and inconsistent with the tenets of the Universal Declaration of Human Rights, supported by the United States.

WHEREAS, the unique geology of the region makes the Navajo Nation rich in uranium, a radioactive ore in high demand for nuclear power and weapon; and

WHEREAS, according to the United States Environmental Protection Agency, approximately thirty million tons of uranium ore were extracted during mining operations within the Navajo Nation from 1944 to 1986. The federal government (i.e., the Atomic Energy Commission) was the sole purchaser of uranium until 1966 when sales opened to commercial industries; and

WHEREAS, many Navajo people worked in and near the mines, often living and raising families within close proximity to the mines and processing sites. Adequate respiratory protections were not provided to mining or milling workers. Navajo uranium workers suffered from high mortality rates from lung and other cancers, tuberculosis, and other respiratory diseases; and

WHEREAS, after the Cold War ended and the federal government no longer needed uranium to produce nuclear weapons, many of the mines on Navajo lands were abandoned—not covered, or sealed, or remediated. The uranium processing sites were decommissioned by the

United States government, and radioactive mill tailings were capped with clay and rock and left at the former mill sites; and

WHEREAS, uranium mining and milling has caused widespread impacts on the health and welfare, economic development, natural, and cultural resources throughout Diné Bikéyah, in particular areas in Crownpoint and Churchrock within the Eastern Navajo Abandoned Uranium Mine (AUM) Region; and

WHEREAS, the federal government's actions are the primary reasons why contamination from historic uranium development persists within and adjacent to the Navajo Nation; and

WHEREAS, the federal government continues to promote and subsidize uranium mining and processing for nuclear power; and

WHEREAS, the federal government has not upheld its trust responsibility or treaty obligation to protect and preserve Navajo Nation lands by cleaning up uranium sites and waste; and

WHEREAS, the federal government through the U.S. Nuclear Regulatory Commission (NRC), approved new uranium development projects on the Navajo Nation, which threatens Navajo water resources; and

WHEREAS, in 1998, the NRC approved license SUA-1580, which allows Hydro Resources, Inc. ("HRI") (now NuFuels, Inc.) to mine uranium on four sites in Crownpoint and Churchrock – collectively known as the Crownpoint Uranium Project – using the in situ leach ("ISL") method of uranium recovery; and

WHEREAS, in its undisturbed state, uranium remains immobile in an aquifer and is confined to small, discreet areas of underground rock formations; and

WHEREAS, natural and undisturbed uranium-bearing aquifers are our primary drinking water sources; and

WHEREAS, ISL mining recovers uranium by injecting chemicals into an aquifer to react with immobile uranium deposits, causing uranium and other toxic heavy metals to spread through large areas of the aquifer; and

WHEREAS, during ISL mining operations, highly contaminated water regularly migrates beyond the mine site; and

WHEREAS, transporting yellowcake from ISL mines creates a risk to communities along transportation routes; and

WHEREAS, spills and leaks of radioactive and toxic materials routinely occur at ISL mine sites, contaminating soils, plant life, wildlife, livestock, and putting human health at risk; and

WHEREAS, HRI/NuFuels seeks to mine uranium in the Westwater Canyon aquifer, which contains high quality water in Churchrock and is the sole source drinking water aquifer for Crownpoint and surrounding Navajo communities; and

WHEREAS, at the time the NRC approved the HRI/NuFuels license, no ISL uranium mine had ever restored a mined aquifer to pre-mining water quality; and

WHEREAS, since the NRC approved SUA-1580, no commercial ISL mine has been able to restore contaminated aquifers to pre-mining conditions; and

WHEREAS, widespread radioactive and heavy metal contamination from ISL mining makes aquifers unsuitable for drinking water, wildlife, agricultural uses, or cultural purposes; and

WHEREAS, ISL uranium mines also cause radioactive air emissions, leaks and spills of radioactive and toxic liquids, and displacement of individuals and communities; and

WHEREAS, ISL uranium mining's deleterious effects last for thousands of years, putting the health and well-being of future generations of Diné at risk; and

WHEREAS, if allowed to proceed, the HRI/NuFuels uranium-mining project would violate Diné Fundamental Law (Diné Bi Beenahaz'áanii), 1 N.N.C. § 201 et. seq.; and

WHEREAS, if allowed to proceed, the HRI/NuFuels uranium-mining project would violate the Diné Natural Resources Protection Act of 2005, 18 N.N.C. § 1301 et. seq.; and

WHEREAS, Eastern Navajo Diné Against Uranium Mining (ENDAUM), after exhausting all of its legal rights in the United States between 1994 and 2011, filed a petition with the Inter-American Commission on Human Rights (Case 14.544) alleging that by approving a uranium-mining project it knows will contaminate current and potential drinking water sources in communities already disproportionately burdened by uranium mining and processing waste, the United States Government violated the Treaty of 1868, Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and inconsistent with the tenets of the Universal Declaration of Human Rights, supported by the United States.

NOW, THEREFORE, BE IT PROCLAIMED:

1. The Navajo Nation supports Eastern Navajo Diné Against Uranium Mining's Petition to the Inter-American Commission on Human Rights in Case 14.544, seeking redress for human rights violations perpetrated by the United States related to its approval of the Crownpoint Uranium Project; and

2. The Navajo Nation requests the Inter-American Commission on Human Rights to closely consider that the United States' breach its trust and treaty obligations under the Treaty of 1868, Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations and inconsistent with the

tenets of the Universal Declaration of Human Rights, supported by the United States, to protect the life, health, property, livelihoods, environment, due process, religion, and culture of the Crownpoint and Churchrock communities;

3. The Navajo Nation urges the Inter-American Commission on Human Rights to recognize and acknowledge the widespread contamination throughout Diné Bikéyah that is a result of the United States' uranium development policies; and

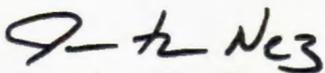
4. The Navajo Nation urges the United States to respect Navajo Nation law prohibiting uranium mining activities within the Navajo Nation pursuant to the Diné Natural Resources Protection Act of 2005 (18 NNC §§1301 et seq.); and

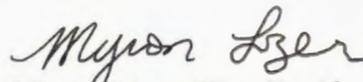
5. The Navajo Nation urges the United States to work in partnership, consistent with international norms, with the Navajo Nation and other impacted indigenous communities to develop a comprehensive policy and implementation plan for remediating the contamination from historic uranium development on and adjacent to the Navajo Nation and other indigenous lands; and

6. The Navajo Nation urges the United States Nuclear Regulatory Commission to immediately rescind SUA-1580.

NOW, THEREFORE, I, JONATHAN NEZ, President of the Navajo Nation, and **I, MYRON LIZER**, Vice President of the Navajo Nation, and **I, SETH DAMON**, Speaker of the 24th Navajo Nation Council, do hereby proclaim

ORDERED THIS 21ST DAY OF OCTOBER 2021


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION


Seth Damon, *Speaker*
24TH NAVAJO NATION COUNCIL