



## NAVAJO NATION HUMAN RIGHTS COMMISSION

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### **BORDER TOWN RECOMMENDATIONS**

*From the 2008 – 2009 NNHRC Assessing Race Relations*

*Between Navajos and Non-Navajos: A Review of Border Town Race Relations (pg. 65)*

The border town hearings disclosed many issues. The testimony included allegations of racial-profiling; failure of border town law enforcement to properly investigate unattended deaths of Navajo citizens; denial to or discrimination in public places; dishonest business practices; discriminatory employment practices (unfair wage practices, at-will employment, the lack of promotional opportunities, no benefits, unsafe conditions in the workplace, and other personnel issues); forced relocation's affect on quality of life; property disputes; denial of access to sacred sites and interference with Navajo cultural activities; environmental and sacred site destruction for economic exploitation; economic exploitation of Navajo intellectual and cultural property; and the failure of the Navajo Nation, State, County and local governments to address these issues. The most frequent complaint concerned employment issues. Consequently, the Commission hereby offers the following recommendations to protect Navajo citizens as they continue to leave the Navajo Nation moving to border towns seeking services, benefits, education and employment opportunities, or for the Navajo citizens making day trips for goods and services.

- The Navajo Nation must engage in serious dialogue with border town officials to ensure Navajo citizens are not discriminated against but given the same opportunities, benefits and services as non-Indians. The development and establishment of Memorandum of Agreements are needed.
- The Navajo Nation must provide additional resources to the Office of Navajo Labor Relations to effectively and efficiently investigate and resolve labor complaints within the territorial jurisdiction of the Navajo Nation and to ensure business and the public are properly educated about employment rights and responsibilities.
- The Navajo Nation should consider entering a Memorandum of Agreement with the Equal Employment Opportunity Commission for purposes of establishing a Tribal Employment Rights Office (TERO) and negotiate Indian employment preference with border town businesses.
- The Navajo Nation should adopt legislation acknowledging the traditional relationship of the Navajo to land and expressly prohibiting the removal of

Navajo citizens from traditional homelands without free, prior and informed consent; provide for the right to return to traditional lands; and, provides redress or just compensation for any permanent taking.

- The Navajo Nation should adopt legislation amending the home-site leasing process balancing the right to a home-site and a grazing permit with the responsibility to protect and preserve sacred sites and Navajo traditional practices.
- The Navajo Nation needs to be more forceful and persistent in mandating the instruction of Navajo history, government, language and cultural values (Navajo life way) at all schools within the territorial jurisdiction of the Navajo Nation. Every student receiving a Navajo college scholarship should demonstrate course completion in these areas of study before receiving a Navajo scholarship. Moreover, the two tribal colleges on the Navajo Nation should be designated as the only Navajo learning institute in the world and all Navajo college students be required to acquire no less than an Associate's Degree from the Nation's colleges prior to pursuing off reservation institutions of higher education.
- The Navajo Nation should establish a Navajo Better Business Bureau (NBBB) within the Navajo Nation Division of Economic Development authorized to receive consumer complaints and publish an annual businesses directory that certifies off-reservation business as Navajo friendly and list those that should be avoided and why; provide information on Navajo employment, including retention rates; cultural sensitivity training and whether management training is offered to Navajo employees.
- The Navajo Nation should adopt anti-discrimination legislation.
- The Navajo Nation should support the efforts of the Navajo Nation Human Rights Commission to obtain permanent observer status within the United Nations<sup>1</sup> until recognition as a sovereign nation is obtained.
- The Navajo Nation should enact a Navajo self sufficient income tax to increase the pool of general funds earmarked for infrastructure and economic development within the territorial jurisdiction of the Navajo Nation.
- The Navajo Nation should strongly advocate for the establishment of a Human Rights Commission within the United States.

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<sup>1</sup> IGRAU-121-09 authorized the Diné Nation Human Rights Commission to advocate for the recognition of the Diné Nation as an observer state in the UN system and Resolution COMMISSIONJULY-09-09 recommended the recognition in as special report.