

Resolution of the Dene Nation Assembly

Resolution #4

Re: Constitutional Reform - Leadership of the Dene Nation

Whereas the Dene National Chief was elected on a mandate to reform the Constitution and By-laws of the Dene Nation; and

Whereas the Dene National Chief appointed a Constitutional Reform Commission (CRC), which includes both a Chiefs Working Group and a technical group; and

Whereas the CRC conducted consultations with Dene leaders and communities while developing an amended Constitution and By-law for the Dene Nation; and

Whereas the provisions of the proposed amended Constitution and By-laws represent a better and more accurate description of the mandate, objectives and structure of the Dene Nation,

THEREFORE BE IT RESOLVED THAT:

1. The following provisions of the existing Constitution and By-law are hereby repealed:

3.0 THE LEADERSHIP

Role

- 3.1 The general supervision and direction of the Dene Nation shall be entrusted to the Leadership consisting of the Executive and all of the Chiefs of the Dene Communities, the Chiefs of the Dene Territories where applicable, and one elder from each Dene Community.
- 3.2 One elder from each Dene Territory shall be a member of the Dene Nation Elders Council, which shall operate according to Dene law and traditions and will advise the Dene on all issues concerning Denendeh. Notwithstanding the requirement to appoint a proxy under these By – Laws, an elder may informally delegate another elder to attend meetings and vote in his or her stead.
- 3.3 The Leadership shall discuss, consult, and decide upon matters that are important to the attainment of the objects of the Dene Nation.
- 3.4 The Leadership shall oversee and participate in the implementation of resolutions of the Dene Nation.
- 3.5 The Leadership may establish policies and procedures for its own use and for general application to the Dene Nation.
- 3.6 The Leadership shall represent Dene Citizens and support and encourage Dene Communities and Dene Territories to meet their respective goals and objectives.

- 3.7 The Leadership may strike committees to carry out any of the Leadership's functions and duties, on such terms and conditions as may be established by the Leadership.

Formal Meetings

- 3.8 The Leadership shall meet as often as the business of the Dene Nation requires, but the Dene National Chief shall call a meeting of the Leadership not less than twice every calendar year.
- 3.9 The Dene National Chief, upon receiving a request in writing from four (4) members of the Leadership representing at least three (3) Dene Territories, shall call a meeting of the Leadership.
- 3.10 Notice of formal meetings of the Leadership must be given to each member of the Leadership and such notice may be given via facsimile or e-mail or other electronic means or by registered mail posted no less than fourteen (14) days prior to the date of said meeting.
- 3.11 Upon taking office, every member of the Leadership shall provide a facsimile, e-mail, or other electronic address and a regular mailing address to the Executive for the purpose of receiving Notices in accordance with these By – Laws.
- 3.12 A quorum for any meeting of the Leadership shall be two-thirds (66%) of the number of members of the Leadership in attendance in person or by proxy at the meeting.
- 3.13 The practice and procedure relating to Proxies for Voting Delegates applies to Proxies for members of the Leadership.
- 3.14 The Leadership shall appoint two (2) Co-Chairpersons to preside over any meeting of the Leadership or National Assembly.
- 3.15 The Chairpersons shall ensure that the minutes and records of all meetings of the Leadership or National Assembly are recorded and the minutes and records shall be delivered to and stored at the Dene National Office.

Informal Meetings

- 3.16 The Leadership may convene by telephone, teleconference, video conference, e-mail, facsimile, or other form of written correspondence on such notice as the Leadership may deem sufficient in the circumstances provided that such notice is given to all members of the Leadership.
- 3.17 A resolution or decision of the Leadership at an Informal Meeting is to be recorded in the Minutes after all of participating members (or their Proxies) have been polled. All decisions made at Informal Meetings of the Leadership shall be ratified at the next formal meeting of the Leadership.
- 3.18 A resolution or decision made at an Informal Meeting agreed to by all of the members of the Leadership who participated in the Meeting shall be as valid and effectual as if it had been passed at a formal meeting of the Leadership.

Voting

- 3.19 A resolution or decision of the Leadership is passed when consensus is reached or, failing which, a majority of two-thirds (66%) of the members present in person or by Proxy at a meeting, vote in favor of the resolution.
- 3.20 A Declaration by the Chairperson that a resolution or decision is passed, carried unanimously or by a particular majority or less, followed by an entry to that effect in the Minute Book of the Dene Nation, shall be conclusive proof of that fact without any record of the number or proportion of the votes cast for or against the resolution being made.

Suspension of the Powers of the National Chief

- 3.21 (a) The Leadership may suspend the powers, functions, and duties of the Dene National Chief by a resolution passed by a two-thirds (66%) majority of members present in person or by Proxy at a Leadership meeting.
- (b) Upon suspension of a National Chief by resolution, the Leadership shall appoint an interim Dene National Chief by resolution who shall hold office until the suspension is rescinded by the Leadership or the National Assembly.
- (c) The Leadership may, by resolution, rescind its decision to suspend the Dene National Chief or, in the alternative, it shall call a National Assembly to take place within ninety (90) days of the date of suspension of the National Chief.
- (d) At a meeting of the National Assembly called under this By – Law, the National Assembly may, by consensus or resolution:
- (i) rescind the suspension and restore the Dene National Chief to office; or
 - (ii) elect a new Dene National Chief; or
 - (iii) require the calling of an election to take place within ninety (90) days of the closing day of the National Assembly to fill the office of the Dene National Chief.
- (e) The By – Laws respecting Informal Meetings of the Leadership apply to meetings of the Leadership under this section.

2. In place of the repealed provisions, the following provisions of the proposed new Constitution are hereby approved:

5.0 THE LEADERSHIP

5.1 The voting members of the Dene Nation Leadership shall consist of the Chiefs of the Dene Communities, the voting members of the Executive and the Dene National Chief. In addition, the Leadership will include up to five representatives of the Elders Council, and representatives of the Dene Women's Advisory Council and the Dene Youth Council as non-voting members.

- 5.2 The Leadership shall discuss, consult, and decide upon matters that are important to the attainment of the objectives of the Dene Nation.
 - 5.3 The Leadership must report at the next National Assembly on all Leadership resolutions since the last National Assembly.
 - 5.4 Subject to the direction of the National Assembly, the Leadership may direct the National Chief and the Executive.
 - 5.5 The Leadership may establish procedures and rules of order for conducting their affairs.
 - 5.6 The Leadership may strike committees on such terms and conditions as they see fit.
3. And the following provisions of the proposed new Organizational By-law are hereby approved:

4.0 LEADERSHIP MEETINGS

- 4.1 The National Chief shall convene meetings of the Leadership not less than twice every calendar year.
- 4.2 In addition to 4.1, the National Chief, upon receiving a request in writing, which may be given via facsimile, e-mail or other electronic means, from four (4) members of the Leadership representing at least three (3) Dene Territories, shall call a meeting of the Leadership.
- 4.3 A quorum for any meeting of the Leadership shall be 50% of the number of voting members of the Leadership.
- 4.4 Notice of meetings of the Leadership shall be given to each member of the Leadership at least two weeks before the meeting and will include a proposed agenda and other relevant information, including draft resolutions to be considered at the meeting. Such notice may be given via regular mail, facsimile, e-mail or other electronic means, provided that reasonable efforts will be made to ensure that each member of the Leadership has the opportunity to receive notice of at least two weeks

by their preferred means.

- 4.5 Upon taking office, every member of the Leadership shall provide a facsimile, e-mail, or other electronic address, and a regular mailing address, to the Executive for the purpose of receiving Notices in accordance with these By-laws.
- 4.6 The practice and procedure relating to Proxies for Voting Delegates applies to Proxies for members of the Leadership.
- 4.7 The Leadership shall appoint a Chair or two (2) Co-Chairpersons to preside over any meeting of the Leadership.
- 4.8 The CEO and Secretary shall ensure that the minutes and records of all meetings of the Leadership are recorded and the minutes and records shall be delivered to and stored at the Dene Nation Head Office and / or branch office.
- 4.9 The Leadership may also convene by teleconference or video conference or electronic means, e-mail, facsimile, or other form of written correspondence on such notice as the Leadership may deem sufficient in the circumstances provided that such notice is given to all members of the Leadership.
- 4.10 A resolution or decision made at a Meeting pursuant to 4.10 shall be as valid and effectual as if it had been passed at a face-to-face meeting of the Leadership.
- 4.11 A resolution or decision of the Leadership is to be recorded in the Minutes after all participating members (or their Proxies) have been polled.
- 4.12 A Declaration by the Chairperson that a resolution or decision is passed, followed by an entry to that effect in the Minute Book of the Dene Nation, shall be conclusive proof of that fact.
- 4.13 A resolution or decision of the Leadership is passed when consensus is reached or, failing which, a majority of two-thirds (66%) of the members present in person or by Proxy at a meeting vote in favour of the resolution.

Moved: Chief Robert Charlie

Seconded: Grand Chief Wilbert Kochon

Date: March 17, 2021, Yellowknife