

DENE NATION  
**CONSTITUTION and BY – LAWS**

Preamble

WHEREAS the Dene were blessed by the Creator to be the caretakers of Denendeh, including the land, water, air and animals; and  
WHEREAS the Dene have traditionally used and occupied our land in and adjacent to Denendeh since time immemorial; and  
WHEREAS the Dene possess Inherent rights to Self-Determination as a Distinct Peoples; and  
WHEREAS Dene women, men, youth and Elders uphold and express Equal Rights and Freedoms; and  
WHEREAS the Dene have internal peace and friendship Treaties amongst ourselves; and  
WHEREAS the Dene recognize the continuing wish to uphold, facilitate, coordinate, and assist in the implementation of our individual rights, collective rights and spiritual rights.

The Objectives of the Dene Nation are:

- a. To uphold the rights and interests of the Dene Peoples of the Northwest Territories, in reference to their Treaties and otherwise;
- b. To develop, discuss and promote policies for the Dene peoples of the Northwest Territories;
- c. To conduct, foster and support programs and policies for the economic, social, educational, health and cultural benefit of the Dene peoples of the Northwest Territories;
- d. To give voice to the opinions of the Dene peoples of the Northwest Territories;
- e. To co-operate with other organizations of similar or friendly purpose.
- g. To have the Dene National Chief represent the Chiefs of the Dene Nation before the Assembly of First Nations National Assembly

Mission Statement:

The purpose of the Dene Nation is to retain sovereignty by strengthening the Dene spiritual beliefs and cultural values in Denendeh.

1. MEMBERSHIP

1.1 Each of the five (5) Dene Territories shall be a Member of the Dene Nation, namely: Gwich'in, Sahtú, Deh Cho Territory Government, Tłı̨chǫ Government, and Akaitcho Territory Government,

1.1(a) In these By-laws the expression "Dene Territories" is interchangeable with and has the same meaning as the expression "Dene Regions," in the singular or the plural, as the circumstances may require.

1.2 The Dene Territories shall be made up of the Dene Communities, as follows:

- Gwich'in: Inuvik, Aklavik, Tsiigehtchic, and Teetl'it Zheh (Fort McPherson)
- Sahtú: K'áhbamítúé (Colville Lake), Tulít'a, Rádeyijikóé (Fort Good Hope), and Déljñę
- De Cho Territory Government: Chi Ta Gotine (Tulít'a), Pedzéh Kí (Wrigley), Łídlıı Kųę Fort Simpson), Tthets'ek'ehdeli Koe (Jean Marie River), Zahti Koe (Fort Providence), Tthenáágó (Nahanni Butte), Echaot'ie Kųę (Fort Liard), K'aagee Tu (Kakisa Lake), Sambaa K'e (Trout Lake), Katl'o Dehe (Hay River Dene Reserve), and Ts'ueh Nda (West Point)
- Tłjchq Government: Behchokq (Rae-Edzo), Whati (Lac La Martre), Gamèti-(Rae Lakes), and Wekweèti (Snare Lake)
- Akaitcho Territory Government: Deninu K-ue (Fort Resolution), Salt River (Fort Smith), Łutsël K'é, Smiths Landing (Fort Fitzgerald), T'èrehda (Dettah), Ndilq and Tadoule Lake (Manitoba).
- 1.3 Each Member of the Dene Nation shall be self-governing and determine and administer its own membership, including who may be a "Dene Citizen", and its representation in the Dene Nation.
  - 1.4 A Member may withdraw from the Dene Nation by notice in writing given to the Executive and the withdrawal shall take effect thirty (30) days thereafter.
  - 1.5 New Members of the Dene Nation and new Dene communities shall be added by resolution of the Dene National Assembly.
  - 1.6 Reinstatement of a Member shall occur by resolution of the Dene National Assembly.

## 2.0 THE DENE NATIONAL ASSEMBLY

### Meetings

- 2.1 The Dene Nation shall have Annual or Special meetings whereby Dene Citizens from the Dene Territories and the Dene Communities meet to hold discussions, have consultations, and make resolutions.
- 2.2 The Annual meeting of the Dene Nation shall be held each year at a time and place to be fixed by the Executive under the direction of the Leadership.
- 2.3 The National Assembly shall establish fair, consistent, and clear policies for the direction of the Dene Nation.
- 2.4 All Dene Citizens are entitled to participate in the National Assembly and to voice their opinions on any issue under discussion, but voting privileges are reserved for Voting Delegates.
- 2.5 Decisions of the National Assembly shall be determined by consensus, failing which a vote shall be taken in the manner prescribed in these By – Laws.
- 2.6 Special National Assembly meetings may be called:
  - (a) by consensus or resolution of the National Assembly;
  - (b) by consensus of the Leadership; or

- (c) by resolution of the Leadership passed by at least two-thirds (66%) of the Leadership present or represented by Proxy at a meeting of the Leadership.
- 2.7 The National Assembly may strike committees to inquire into any matter of interest to the National Assembly or to carry out functions designated by the National Assembly on such terms as may be established by the National Assembly.
- 2.8 Except as otherwise provided herein, an Annual or Special meeting of the National Assembly shall be held on such day, at such time, and at such place as the Leadership may direct, provided that no such meeting shall occur without giving at least sixty (60) days' notice of the location, date and time of such meetings and a draft Agenda to all Dene Territories and Dene Communities.
- 2.9 Notice of meetings of the National Assembly shall be sufficient if delivered in writing to the members of the Leadership for posting in each Dene Community.
- 2.10 Two-Thirds (2/3) of the voting delegates either personally present or represented by proxy shall constitute a quorum for any Annual or Special meeting of the National Assembly.

#### Voting

- 2.11 Each Dene Community is entitled to be represented at a National Assembly by delegates ("Voting Delegates") who are entitled to one vote each. The number of Voting Delegates shall be determined as follows:

##### Chiefs: ~~Sub-Chief~~

- (a) The Chief of every Dene Community is a voting delegate;

##### Dene Communities:

- (b) Each Dene Community shall have three (3) additional voting delegates;
- (c) Where a Dene Community has more than one hundred (100) Dene Citizens, they shall have one additional voting delegate for every additional fifty-one (51) to one hundred (100) Dene Citizens in that community.
- (d) For the purpose of determining the number of eligible Voting Delegates for each Dene Community at meetings of the National Assembly, each Dene Community shall disclose its total number of Dene Citizens to the Dene Nation Executive, in such manner and at such times as the Dene Nation Executive may require.

##### Members of the Executive:

- (e) Each member of the Dene Nation Executive shall be entitled to one vote at meetings of the National Assembly.

2.11(a) For Dene Territories in which a Government has been established under the terms of a Comprehensive Land Claim or Self-Government Agreement:

Each Dene Territory is entitled to be represented at a National Assembly by Voting Delegates who are entitled to one vote each. The number of Voting Delegates shall be determined as follows:

Chiefs:

- (a) The Grand Chief of every Dene Territory is a Voting Delegate; and
- (b) The Chief of every Dene Community is a Voting Delegate.

Dene Territories:

- (a) Each Dene Territory shall have three (3) additional Voting Delegates for each Dene Community that it is made up of;
- (b) Where a Dene Community has more than One Hundred (100) Dene Citizens, the Dene Territory shall have one additional Voting Delegate for every additional fifty-One (51) to One Hundred (100) Dene Citizens in that community;
- (c) For the purpose of determining the number of eligible Voting Delegates for Each Dene Territory at meetings of the National Assembly, each Dene Community shall disclose its total number of Dene Citizens to the Dene Nation Executive, in such manner and at such times as the Dene Nation Executive may require.

- 2.12 Subject to 2.12(a), the selection of the voting delegates shall be determined by each Dene Community in its absolute discretion.
- 2.12(a) For Dene Territories in which a Government has been established under the terms of a Comprehensive Land Claim or Self-Government Agreement, the selection of Voting Delegates shall be determined by each Dene Territory in its absolute discretion. For greater clarity, the Dene Territory may apportion the permitted delegates among the Dene Communities in its Territory as it sees fit.
- 2.13 A Dene Citizen who is entitled to vote at an Assembly, and who is not able to be personally present at the Assembly (an "Absent Voter"), is entitled to have his or her vote cast by another Dene Citizen, by Proxy.
- 2.14 A Proxy shall be authorized to vote on behalf of an Absent Voter by his or her Dene Territory or Dene Community, as the case may be.
- 2.15 No Voting Delegate and no member of the Executive shall be Proxy for more than one Absent Voter.
- 2.16 A resolution is passed when consensus is reached or, failing which, a majority of not less than two-thirds (66%) of the Voting Delegates who are present in person or by proxy, at a meeting, vote in favor of the resolution.
- 2.17 A Special Resolution to amend the Constitution or the By – Laws of the Dene Nation is passed when a majority of not less than three-quarters (75%) of the Voting Delegates who are present in person or by proxy at a meeting of the National Assembly vote in favor of the resolution.

- 2.18 Unless a show of hands or a ballot and a poll thereon is demanded by at least one (1) Voting Delegate, the Chairperson may declare a resolution to have been passed or defeated.
- 2.19 A declaration by the Chairperson that a resolution 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 recording the number or proportion of the votes cast for and against a resolution.
- 2.20 In the case of an equality of votes cast for and against a resolution, the Chairperson shall:
  - (a) call for amendments to the resolutions and, if amendments are seconded, hold another vote; or
  - (b) declare that a second vote will take place at a fixed place, date and hour during the meeting; and failing the passage of such amended resolution(s) or a decision by second vote, shall:
  - (c) direct the Dene Nation Elders Council to evaluate the issues raised by the resolution and to prepare an oral or written report to be presented at the next meeting of the National Assembly.
- 2.21 A Voting Delegate who is in attendance at a meeting of the National Assembly, may, while the meeting is in session, appeal a ruling of the Chairperson to the members of the Leadership present at the meeting, who shall decide the ruling by vote among them. The decision of the Leadership is absolutely final and conclusive.

### 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.

#### 4.0 THE EXECUTIVE

##### Qualifications

- 4.1 The Executive of the Dene Nation shall consist of the Dene National Chief, one Dene Citizen representing each Territory/Region and an Elder chosen by the Elders Council.
- 4.2 The members of the Executive shall be ex officio members of all committees of the Dene Nation.
- (f) Each territory/region of Denendeh shall select, according to Dene law and traditions, one Elder to an Elders Council that will advise the Dene on all issues concerning Denendeh.
- 5.20 (c) direct the Elders Council to evaluate issues raised by the resolutions and...<sup>1</sup>

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<sup>1</sup> Added “Elder’s Council to be established”, however I could not find the referenced document: July 8-15, 2002. Motion #02/02-006.  
Dene Nation Constitution and By-Laws  
ACCEPTED changes as per motions passed from 1972-2016  
December 9, 2019

## Meetings

- 4.3 The Executive shall meet at such times and places as the Dene National Chief may decide or at least two-thirds (66%) of the members of the Executive, may require. For the purpose of such meetings, and four (4) members of the Executive shall constitute a quorum for the conduct of business of the Executive.
- 4.4 Notice of meetings of the Executive shall be given to each member of the Executive and may be given in the manner contemplated under ~~paragraph 6.9~~ Article 2.8 and 2.9 of these By – Laws. The By – Laws dealing with informal meetings of the Leadership also apply to meetings of the Executive.

## Role

- 4.5 The Executive shall be the Board of Directors of the Dene Nation and shall work toward establishing the Dene Nation as a well informed, unified, and recognizable organization by making decisions consistent with the objects of the Dene Nation and directions given by the Leadership and the National Assembly.
- 4.6 The Executive shall provide quarterly financial statements to the Leadership.
- 4.7 The Executive shall request the preparation of an audited Financial Statement from the Dene Nation's auditors for presentation at the Annual Meeting of the National Assembly.
- 4.8 The Executive shall prepare a yearly budget and periodic strategic plans based on the information and submissions received from the Leadership for presentation at the Annual Meeting of the National Assembly.
- 4.9 The Executive shall organize and arrange for meetings of the Leadership, as the need arises.
- 4.10 The Executive shall appoint such Officers of the Dene Nation as may be required from time to time to conduct the business of the Dene Nation, including Officers to:
  - (a) have the custody and control of the official seal of the Dene Nation which is to be applied to documents and records according to law and the policies of the Dene Nation; and
  - (b) keep such complete books and records of accounts of the Dene Nation as may be required to demonstrate the financial status of the Dene Nation to the Executive or any other person authorized by these By-Laws to inspect said books and records.
- 4.11 The Executive shall, by resolution, authorize its Officers and such employees of the Dene Nation as may be required from time to time, to execute financial and legal documents, including cheques, provided always that cheques drawn on the accounts of the Dene Nation shall be signed by no less than two (2) such duly authorized persons and no cheque for any sum over Two Hundred Fifty (\$250) may issue without the signature of a member of the Executive.



### The Dene National Chief

- 4.12 The Dene National Chief shall ensure that the spirit and intent of these By-Laws is maintained by impartially organizing, promoting, and facilitating discussion among, and decision-making by, the members and organs of the Dene Nation, according to Dene Law and tradition and by making the Dene National Office accessible and responsible to all Dene Citizens.
- 4.13 The Dene National Chief shall be the spokesperson of the Dene Nation in relation to national and international issues.
- 4.14 The Dene National Chief with the Chief Executive Officer (CEO) shall perform the operational and administrative functions necessary to oversee the daily business of the Dene Nation.
- 4.15 The Dene National Chief shall develop with the CEO of the Dene Nation for the approval of the Executive, clear and concise written operational policies and procedures including, without limiting the generality of the foregoing, those for the hiring and termination of support staff, the payment of wages, salaries, and benefits, and the contracting of services to the Dene Nation.
- 4.16 The CEO working in conjunction with the National Chief and Executive according to the Dene Nation Charter and Dene Nation Policy and Procedures.
- 4.17 The Dene National Chief with the CEO shall, on request, report to the Executive in relation to and be responsible for all operational and administrative decisions.
- 4.18 The office of the Dene National Chief must remain neutral and impartial when dealing with territory/regional/community issues.
- 4.19 The Dene National Chief shall consult with, obtain the advice of, and be accountable to the Leadership in relation to statements made and actions taken on behalf of the Dene Nation.
- 4.20 The salary of the Dene National Chief shall be determined by resolution of the Executive, based on an appropriate wage scale.
- 4.21 If the Dene National Chief is incapacitated or otherwise unable to discharge his or her duties and functions for any period longer than thirty (30) days, the Leadership may appoint a spokesperson from amongst its membership in place of the Dene National Chief until:
  - (a) the Dene National Chief is able to resume his or her duties and functions; or
  - (b) another Dene National Chief is elected by the National Assembly.
- 4.22 The Dene National Chief may resign office upon giving the Leadership written notice of the effective date of the resignation of ninety (90) days or such lesser period of time as the Dene National Chief and the Leadership may agree, in writing.

### Election of the Dene National Chief

- 4.23 A person nominated for and selected to the position of the Dene National Chief must be a Dene Citizen.

- 4.24 The Leadership may appoint an Election Committee to coordinate and conduct the election, acclamation, or other means of selecting the Dene National Chief according to the policies and procedures established by the National Assembly.
- 4.25 The Dene National Chief shall be elected, acclaimed, or selected according to Dene law and tradition by the Voting Delegates present at the Annual Meeting of the National Assembly and shall serve for a period of three (3) years, subject to these By – laws.
- 4.26 The Dene National Chief shall take an Oath of Office upon being elected or acclaimed and before performing any act in his or her official capacity. The Oath of Office shall be approved by and be administered before the National Assembly.

#### Involuntary Removal of the Dene National Chief

- 4.27 The Dene National Chief shall not be removed from office except by a resolution of the National Assembly passed by not less than two-thirds (66%) of the Voting Delegates present or voting by Proxy.
- 4.28 Notice of a resolution to remove the Dene National Chief shall be given to all Dene Citizens no less than ninety (90) days before a meeting of the National Assembly called for that purpose.
- 4.29 The Notice shall be given in accordance with the paragraphs 2.8 and 2.9 of the By-Laws and the Notice shall state who the moving person is and the grounds upon which the removal of the Dene National Chief is requested.
- 4.30 If a Dene National Chief is removed from Office at a meeting of the National Assembly, the National Assembly shall appoint an interim Dene National Chief to hold office until a Dene National Chief is elected, appointed, or selected in accordance with these By-Laws.
- 4.31 An interim Dene National Chief shall take the Oath of Office prescribed under these articles before a member of the Executive and before performing any act in his or her official capacity.
- 6.20 (b) Upon the suspension by resolution of a National Chief, the Leadership shall appoint an interim Dene National Chief by resolution who shall hold office until the suspension is...<sup>2</sup>

#### 5.0 RAISING MONEY AND BORROWING

- 5.1 The Leadership may, by resolution passed by no less than two-thirds (66%) of the Leadership members present in person or by Proxy at the time of the vote, authorize the borrowing of funds from recognized financial institutions or the raising of monies for any purpose conducive to the objects of the Dene Nation.
- 5.2 The Leadership may by resolution passed by no less than two-thirds (66%) of the Leadership members present in person or by Proxy at the time of the vote, authorize that the assets and property of the Dene Nation

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<sup>2</sup> Added: referenced document unknown: July 8-11, 2002. Motion #02/03-006.

be sold, mortgages, pledges, or otherwise given as security or exchange for the purpose of raising monies or borrowing funds from a recognized financial institution.

- 5.3 Any resolutions passed under this section shall specifically name the persons authorized to execute documents on behalf of the Dene Nation for the purpose of giving security for funds received from any financial institution or otherwise dealing with Dene Nation properties and assets.

## 6.0 INSPECTION OF RECORDS

- 6.1 The books and records of the Dene Nation shall be open to inspection by a Dene Citizen at the head office of the Dene Nation upon request made to the Dene National Office.
- 6.2 The said inspection shall be conducted at such time(s) as the Dene Nation, by its Officers or employees, and the Dene Citizen may agree. Failing agreement, the Dene National Office shall fix a date and time for inspection.

## 7.0 YEARLY FINANCIAL STATEMENTS

- 7.1 The books and records of accounts of the Dene Nation shall be audited yearly by a firm of chartered accountants or such other accountants as may be designated by resolution of the National Assembly.
- 7.2 The audit shall be contained in a Financial Statement and a copy of the said Financial Statement shall be provided to all Dene Citizens attending the Annual National Assembly, at which time the Financial Statement shall be approved by consensus or by vote.
- 7.3 The approved Financial Statement shall be filed with the Registrar of Societies within fourteen (14) days after the Annual National Assembly.
- 7.4 Along with the said Financial Statement, a list of the current Directors of the Dene Nation shall be filed with the Registrar of Societies.
- 7.5 The fiscal year end of the Dene Nation shall be March 31<sup>st</sup>.

## 8.0 BRANCH OFFICES

- 8.1 Branch offices of the Dene Nation may be established by resolution of the Leadership approved at the Annual Meeting of the Dene Nation.

## 9.0 CHANGES IN CONSTITUTION AND BY-LAWS

- 9.1 These By-Laws and the Constitution of the Dene Nation shall not be altered, varied, or rescinded in whole or in part except by a Special Resolution passed by a majority of not less than three-quarters (75%) of the Voting Delegates who are present in person or by proxy at a meeting of the National Assembly provided that repeal or amendment of such By-Laws shall not be enforced or acted upon until the approval of the Minister of Industry has been obtained.
- 9.2 The Notice required in paragraphs 2.8 and 2.9 of these By-Laws shall be sufficient for the purpose of amending these By-Laws or the Constitution.

10.0 INTERPRETATION OF THE BY-LAWS

10.1 Nothing in the Constitution or By-Laws of the Dene Nation shall be interpreted in a manner that interferes with or may have adverse effect upon the Treaty or Aboriginal Rights and interest of Dene Citizens, Dene Territories, or Dene Communities.

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DATE