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DENE LEADERSHIP MEETING

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Dene Leadership Meeting (Draft Agenda)
Délı̨nę
February 11th – 13th, 2025

Day 1 – Tuesday, February 11th, 2025

9:00 AM – 12:30 PM

Opening Prayer

Selection of Chairpersons & Adoption of Agenda (Resolutions)

Opening Comments from Dene National Chief

Refreshment Break

Child Welfare

12:30 PM - Lunch

1:30 PM – 5:00 PM

Child Welfare -Continued Refreshment Break

Housing Initiatives & Update

5:00 PM

Closing Ceremonies

*****Dinner and Evening Events*****

Day 2 – Wednesday, February 12th, 2025

9:00 AM – 12:30 PM

Opening Prayer

Opening Comments from Dene National Chief

Constitution Reform Commission (CRC) – Update and Current Status

Refreshment Break

Constitution Reform Commission (CRC)- Continued

12:30 PM - Lunch

1:30 PM – 5:00 PM

Constitution Reform Commission (CRC) - Resolutions

Refreshment Break

Western Boreal Caribou Initiative – Updates, Questions, Next Steps

5:00 PM

Closing Ceremonies

*****Dinner and Evening Events*****

Day 3 – Thursday, February 13th, 2025

9:00 AM - 12:30 PM

Opening Prayer

Opening Comments from Dene National Chief

Resolutions

Refreshment Break

Resolutions - Continued

12:30 PM - Lunch

1:30 PM

Closing Ceremonies & Prayer

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RULES AND REGULATIONS FOR DENE LEADERSHIP MEETINGS AND ANNUAL ASSEMBLIES

1. All sessions shall start on time (9:00 am to 12:00 noon; 1:30pm to 5:00pm; Evenings if agreed to during the session.

2. The Draft Agenda, Rules, and Procedures shall be adopted by procedural resolution from the floor.

3. All persons attending the meetings shall be registered (for recording purposes).

4. A quorum shall be adhered to as outlined in the Dene Nation Constitutions & By-law's (see back side).

5. Decisions shall be made as far as possible by consensus or general agreement. When all efforts to achieving a consensus have been exhausted without success, the Dene Nation Constitution and By-Laws.

6. Official delegates must be Chiefs or proxy representatives authorized by proxy letter from the Chiefs outlined in the Dene Nation Constitution & By-Law's.

7. When space limitations require, official delegates shall be allowed priority access to the main seating area.

8. When addressing the floor, delegates or designated spokespersons must identify themselves and the community they represent for recording purposes. Any full member of the Dene Nation is entitled to participate in the National Assembly, and to voice his/her opinion on any issue under discussion, but where consensus is not reached among all, voting privileges are reserved for official delegates.

9. ALL RESOLUTIONS MUST be submitted to the Resolution Committee which will assist the mover and seconder to present the motion in proper form (See "Do You Have a Resolution?" for procedures).

10. No alcohol or drugs shall be allowed in the meetings. NO ONE under the influence will be allowed in the meeting.

11. There will be no smoking in the meeting room.

12. Media representative shall be permitted in the meeting room unless the meeting is in "In-Camera" session.

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TO THE DELEGATES

DO YOU HAVE A RESOLUTION?

Welcome to the Dene Leadership Meeting. The Denendeh National Staff and Executive have developed the following guidelines for resolutions. These guidelines are developed to ensure that everyone's concerns can be dealt with in a timely manner. We have found in the past that on the last day of meetings delegates come forward with their recommendations, and it has been a struggle to make sure everyone's need is met before closing the meeting. By following these guidelines, you can be sure that your resolution will be brought before the delegates in the meeting. We are hoping that this process will expedite the process to everyone's satisfaction.

1. Please try to ensure you have a "Mover" and a "Seconder", before your resolution is presented to the Resolutions Committee. "Movers" and "Seconders" must be Chiefs and/or Delegates who are registered.

2. Once you have a "Mover and a "Seconder," bring your suggested text to the staff of the Resolutions Committee. They will review it, assign a draft letter, and type the resolution in accordance with standard Dene Leadership terminology (ie. the staff will ensure all the Whereas's and Therefore Be it Resolved's are in their proper places).

3. Once typed, your resolution will be reviewed once again by the committee and approved by the Executive (National Chief and at least one Vice-Chief). If the text changes considerably you will be consulted and can raise any further concern with the resolution. The approval draft resolution will the be copied and distributed.

4. **Most importantly, resolutions should be handed in the Resolutions Committee by 5:00pm, February ?, 2025.**

Note: The Resolutions Committee consists of assigned staff and National Executive (Dene National Chief & Dene Nation Vice-Chiefs) will meet each evening briefly to review resolutions.
Other participants will be welcomed to deal with their resolution, should they feel it is necessary.
As well. Legal and/or technical personnel may be called in from time to time, as necessary.

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Updated January 31, 2025

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(Updated on January 31, 2025)

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CHILD & FAMILY SERVICES AGREEMENT AND FINAL SETTLEMENT BRIEFING NOTE

- First Nations children and families in the N.W.T. initially were not entitled to compensation under the multi-billion-dollar agreement-in-principle between the federal government and First Nations leaders to address those harmed by Canada's discriminatory child welfare system. However, due to ongoing advocacy work on this issue, and the successful passing of Resolution 87 "Ensuring Fair and Equitable Inclusion of the NWT" the Dene Nation continues to work towards a process to be meaningfully and fairly included in any future agreements related to Compensation and Long-Term Reform.

- The $40-billion agreement sets aside approximately $20 billion to compensate First Nations children on-reserve and in the Yukon who were removed from their homes between April 1, 1991, and March 31, 2022.

- Another $19.8 billion over the next five years will be devoted toward long-term reform of the child welfare system.

- The agreement stems from a 2016 Canadian Human Rights Tribunal decision that found the federal government discriminated against First Nations children and families through its provision of child and family services and for its failure to honour Jordan's Principle.

- The tribunal ordered the federal government to pay approximately $40,000 to each child affected by the on-reserve child welfare system, as well as their primary guardians, unless their children were taken into foster care due to abuse.

- The agreement comes 14 years after the Assembly of First Nations and the First Nations Child and Family Caring Society filed a complaint against the federal government for discriminating against First Nations children and families by failing to meet their needs through the First Nations Child and Family Services Program.

Why Exactly was the NWT not originally included?

- The short answer: Child and family services in the N.W.T. and Nunavut are not funded through the First Nations Child and Family Services Program.

- This was the specific federal program at issue in the 2007 complaint. The tribunal found this program discriminatory in large part because it under-funded prevention services for First Nations on-reserve and in the Yukon that work to keep children with families, which contributed to large numbers of First Nations children entering and staying in foster care.

- According to Indigenous Services Canada "funding for child and family services in Nunavut and the Northwest Territories is provided by the Department of Finance Canada through transfer payment agreements with the territorial governments, which make up a portion of their annual budgets." The N.W.T. and Nunavut governments "decide how and where to spend the funds."

- It is the position of the Dene Nation that we MUST be fairly and equitably included in any deal, and any deal should be inclusive of communities with both on-reserve and off-reserve statuses.

What is the NWT Entitled to?

- First Nations children in the N.W.T. are entitled to compensation for the government's failure to honour Jordan's Principle. The principle was put in place to ensure funding disputes between governments do not result in the denial or delay of access to essential services for First Nations children.

- The Dene Nation is also making the case that First Nations Children in the NWT and their families who experienced discrimination and harm due to policies and actions of the GNWT Department of Child and Family Services should be entitled to fair and equitable compensation.

- The Dene Nation also wants to ensure that Dene First Nations receive funding and resources for Long-term Reform, which would allow the system to be improved and changed so that it works better, and avoids discriminatory practices.

- "The Jordan's Principle orders apply in the N.W.T. so that means families are, and will continue, to receive the benefit of the [Canadian Human Rights Tribunal's] orders on Jordan's Principle, This applies to children who "did not receive or were delayed receiving an essential public service or product between April 1, 1991, and Dec. 11, 2007," or those who were affected by the "government's narrow definition" of the principle between Dec. 12, 2007, and Nov. 2, 2017.

- The N.W.T.'s child and family services system has been in a state of crisis for years, with foster care-givers decrying a lack of support and Indigenous youth continuing to be over-represented in child and family services cases.

- A recent report released in the Legislative Assembly noted 98 per cent of the 1,044 children or youth involved with child and family services between April 1, 2020 and March 31, 2021 in the N.W.T. were Indigenous, in a territory where Indigenous children and youth make up 57 percent of the population.

- Scathing reports from the Auditor General — from 2014 and 2018 — also pointed out major communication lapses and dysfunction in the system. The 2018 report found that child and family services authorities failed to keep the required regular contact with nine out of ten children placed in foster care. It also noted that two-thirds of guardians in charge of caring for children and youth were not adequately screened.

- Bill C-92 - an Act respecting First Nations, Inuit and Metis children, youth and families - came into effect January of 2020. It acknowledged that indigenous governments have the right to create their own laws on child and family services.

Recommended Next Steps

- The Dene Nation is actively working with a coalition of Regions (Saskatchewan, Yukon, BC, Quebec-Labrador, New Brunswick, and PEI) to advocate for a National and unifying deal which would fully include the NWT. Much of this work is being done through the National Children's Chiefs Commission in which Dene Nation participates in.

- The lnuvialuit have already undertaken the transfer of responsibility. The Dene Nation is in the advanced stages of negotiating funding which would support an exploratory process for the Dene Nation to take over responsibility and implementation of Child and Family Services in Dene First Nation communities and Regions. This would begin with an exploratory process and series of engagements and consultations with communities to determine next steps and how this would roll-out. The GNWT currently has the responsibility for CFS but are willing to devolve to regional organizations when they are ready. The Dene Nation is positioned to assist with that transfer and the Government of Canada is interested in commencing discussions to that end in the very near future.

- The Dene Nation should also continue to participate in the new National Assembly of Remote Communities (NARC) as this could lead to the development of necessary supports for future fiscal transfers. The proposed National Remoteness Secretariat, with budgeted funding in the amount of $2 million for the next five years, will go a long way to facilitate fairness in any future transfers of responsibility for First Nations child and family services. This secretariat will be tasked with dealing with quantitative analysis of all remote issues of a general nature and will be funded $2 million on an annual basis for the next 5 years.

- The Dene Nation is continuing to actively ensure that the NWT has at least one spot secured on any committees which will guide the roll-out of the Long-Term Reform aspect of the Final Settlement Agreement to ensure that NWT has an active voice and adequate representation.

- It is estimated that each region will receive approximately 75 million in funding to implement and steer long term reforms, assuming that a deal eventually gets done. The Dene Nation will ensure that money is not provided to the GNWT but rather distributed directly to communities and regions.

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SPECIAL CHIEFS ASSEMBLY
December 3, 4, 5, 2024, Ottawa, ON **Resolution no. 87/2024**

TITLE:	**Ensuring Fair and Equitable Inclusion of the Northwest Territories in the Child Welfare Compensation and Long-Term Reform Final Settlement Agreement**
SUBJECT:	Children and Families
MOVED BY:	Chief April Martel, K'atl'odeeche First Nation (Hay River Dene Reserve), NT
SECONDED BY:	Chief Phillip Blake, Gwichya Gwich'in Dene First Nation, NT
DECISION	Carried; 1 opposition; 10 abstentions

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) affirms the following rights:

- **i.** Articles 2, 3, 4, 5, 7(2), 11(1), 13(1), 15(2), 18, 19, 22(2), 37(1) and 43 – affirm the rights of Indigenous peoples to self-determination, including self-governance, in relation to children and their families, the right to free, prior and informed consent, and the right to be free from discrimination.
- **ii.** Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.
- **iii.** Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

B. The Truth and Reconciliation Commission of Canada (TRC) Calls to Action #1 to #5 call on federal, provincial and territorial governments to take actions to improve First Nations child and family services.

C. The Child Welfare Compensation and Long-Term Reform Final Settlement Agreements were established to provide financial compensation to those Indigenous children and families who were impacted by the child welfare system in Canada.

Certified copy of a resolution adopted on the 4th day of December, 2024 in Ottawa, ON

Woodhouse.

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

D. The Northwest Territories has been disproportionately historically impacted by the child welfare system in Canada, resulting in the separation of many Indigenous children from their families and cultural roots.

E. The Northwest Territories has been excluded from the Child Welfare Compensation and Long-Term Reform Final Settlement Agreements, despite being impacted by this system.

F. It is the duty and obligation of the Assembly of First Nations to advocate for the rights and interests of all Indigenous Nations across Canada and ensure that they are all equitably included in any agreements, or nation to nation treaties, or settlements concerning their peoples.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Call upon the Government of Canada to acknowledge and take action to address the historical impact of the child welfare system on Indigenous Children in the Northwest Territories.

2. Direct the Assembly of First Nations to call upon the Government of Canada to fairly and equitably include the Dene Nation First Nations of the Northwest Territories in the Child Welfare Compensation and Long-Term Reform Final Settlement Agreements.

Certified copy of a resolution adopted on the 4th day of December, 2024 in Ottawa, ON

Woodhouse.

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF **87 – 2024**

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SPECIAL CHIEFS ASSEMBLY
December 3, 4, 5, 2024, Ottawa, ON **Resolution no. 88/2024**

TITLE:	**Implementing the Chiefs' Direction to End Canada's Discrimination in First Nations Child and Family Services**
SUBJECT:	Children and Families
MOVED BY:	Chief Trevor Prince, Sandy Bay Ojibway First Nation, MB
SECONDED BY:	Chief Jason Daniels, Swan Lake First Nation, MB
DECISION	Carried; 70 opposed; 6 abstentions

WHEREAS:

A. First Nations affirm the love we have for our children and our collective goal of ensuring that they grow up proud of who they are, able to speak their languages and free of the multi-generational burden of Canada's discrimination;

B. First Nations honour the Residential School Survivors and the Truth and Reconciliation Commissioners who included child and family services and Jordan's Principle as the top Calls to Action;

C. First Nations honour the Murdered and Missing Women and Girls and Members of the 2SLGBTQAI community who identified child and family services and Jordan's Principle as priorities in the MMIWG Final Report Calls to Justice;

D. Canada's widespread and ongoing discrimination towards First Nations children through Residential Schools, the 60's Scoop and its contemporary underfunding of vital public services for First Nations fuel factors such as multi-generational trauma, addictions, poverty, poor housing and domestic violence that contribute to First Nations children going into care at 19.2 times higher rates than non-Indigenous children and other harms.

E. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

i. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.

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ii. Article 19: States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them.

iii. Article 37: Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honor and respect such treaties, agreements, and other constructive arrangements.

F. In 2016 CHRT 2, the Canadian Human Rights Tribunal (CHRT) substantiated a human rights complaint filed by the First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations (AFN) in 2007 regarding Canada's discriminatory and inequitable First Nations Child and Family Services (FNCFS) and its repeated failure to respect and implement Jordan's Principle named after Jordan River Anderson of Norway House Cree Nation. Canada was ordered to immediately cease its discriminatory conduct. Canada failed to do so and over 20 procedural and non-compliance orders have been issued to date.

G. 2016 CHRT 2 and subsequent CHRT orders have confirmed that Canada must take account of the distinct circumstances of the child and family and ensure services are culturally appropriate.

H. The parties (CHRT Parties) to the 2007 Canadian Human Rights Act complaint included:

i. Complainant: AFN;

ii. Complainant: Caring Society;

iii. Commission: Canadian Human Rights Commission; and

iv. Interested Parties: Amnesty International (granted in 2009 to address international human rights law), Chiefs of Ontario (granted in 2009 respecting the 1965 Indian Welfare Agreement), Nishnawbe Aski Nation (NAN): (Granted in 2016 regarding remoteness in NAN territory) and the BC Leadership Council (Granted 2024 respecting Jordan's Principle affecting First Nations in British Columbia).

I. In December of 2023, Canada entered into confidential negotiations with some of the CHRT Parties hereinafter referred to as the FSA Parties: AFN, Chiefs of Ontario, Nishnawbe-Aski Nation to complete an FSA on child and family services while other CHRT Parties are not included (Caring Society, Canadian Human Rights Commission, and Amnesty International).

J. The Caring Society was not a party as Canada had breached the Agreement in Principle (AIP) providing a framework for the negotiations by not complying with Jordan's Principle resulting in tragic harms and deaths of children. The Caring Society filed a non-compliance motion against Canada to address its failure to follow through on CHRT orders on Jordan's Principle – a step that was prohibited under the AIP framework.

K. The negotiations failed to implement the direction of the First Nations-in-Assembly who adopted AFN Resolution 40/2022, *To Ensure Quality of Life to the First Nations Child and Family Services Program and Jordans Principle*, requiring that the CHRT parties retain the right to return to the Tribunal to address

Canada's discrimination, regional experts inform the draft FSA and that the Parties return with options for First Nations Leadership to consider.

L. On July 11, 2024, the FSA Parties released an incomplete draft of the FSA (draft FSA) in English only. The French version followed about a month later. The FSA Parties did not entertain substantive amendments, and the proposed approach had significant flaws in governance, funding durability and security, and ensuring non-discrimination. Paragraph 45 of the draft FSA also provided for regional approaches, but Canada was not obligated to provide additional funding to ensure those regional variations that are essential to taking full account of the distinct circumstances of the child and ensure services are culturally appropriate.

M. Contrary to Canada's obligations under Inherent rights, the UN Declaration and Treaty Rights, the draft FSA also required that First Nations cede their decision making over the reformed funding approach that would directly affect First Nations children to a secret committee.

N. Paragraph 379 of the draft FSA required approval by First Nations Leadership. After conducting due diligence by consulting independent legal and child and family services experts, the First Nations-in-Assembly rejected the draft FSA and voted to reset the negotiation process.

O. The Assembly of First Nations has not yet publicly and clearly agreed to implement the direction in the resolutions adopted by the First Nations-in-Assembly.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Call on Canada and direct the Assembly of First Nations (AFN) to publicly and fully commit to respecting and following the direction of the First Nations-in Assembly arising from the rejection of Draft Resolution 01-2024, and adoption of Resolutions 60-2024 and 61-2024 at the Special Chief's Assembly held on Treaty 7 Territory on October 16-18, 2024.

2. Direct the AFN Executive to adopt an approach that:

- **a.** Ensures that any new proposal for long term reform in First Nations child and family services provide for a national umbrella agreement to ensure non-discrimination with regional agreements that take full account of the distinct circumstances, cultures and the Inherent rights of the children and the First Nations they belong to; and
- **b.** Ensures that such regional agreements are funded in a manner that safeguards First Nations children, youth and families from discrimination now and forever.

3. Urge Canada to discharge its duty to consult and AFN to reject any proposal to supplant and/or adversely affect Canada's duty to consult, Honor of the Crown and other obligations to First Nations.

Safeguarding First Nations rights and approval processes:

4. Direct the AFN to ensure that First Nations Chiefs and Proxies can vote on the Long-Term Reform (LTR) Agreements virtually, in-person, or by another means (via specific accommodation to a Chief or Proxy); to accommodate First Nations Leadership who are unable to attend in person due to community circumstances or emergencies; to ensure that no changes are to be made to the voting procedure, including quorum or approval thresholds; and not to undertake other measures that adversely affect the

direction given by the First Nations-in-Assembly at the meeting on October 16-18, 2024 on Treaty 7 territory.

5. Direct the AFN Executive to support the First Nations Child and Family Caring Society to lead any process to achieve non-discrimination (also known as long term reform) for child and family services and Jordan's Principle in keeping with the Resolutions passed at the Special Chiefs Assembly on October 16-18, 2024.

Respect

6. Call on AFN to withdraw and apologize for any and all public statements that suggested or implied that First Nations Child and Family Service Agencies led the campaign to defeat the draft Final Settlement Agreement (FSA). Such comments are disrespectful of our front-line workers and of the Chiefs who exercised their due diligence to review the text of the draft FSA and rejected it on that basis alone.

7. Require AFN to get approval for any further public statements from the Children's Chief's Commission once established and by a public and majority vote of the Executive in the interim.

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SPECIAL CHIEFS ASSEMBLY
December 3, 4, 5, 2024, Ottawa, ON **Resolution no. 89/2024**

TITLE:	**Renewing Negotiations Toward Long-Term Reform of First Nations Child and Family Services and Jordan's Principle**
SUBJECT:	Children and Families
MOVED BY:	Khelsilem, Council Chairperson, Squamish Nation, BC
SECONDED BY:	Chief Erica Beaudin, Cowessess First Nation, SK
DECISION	Carried; 74 opposed; 10 abstentions

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- **i.** Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
- **ii.** Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.
- **iii.** Article 37: Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements, and other constructive arrangements.

B. First Nations recognize the sacredness of First Nations children, youth and families and Jordan's Principle, a child-first legal requirement ensuring substantively equal and culturally appropriate access to products, services and supports for First Nations children and that the government entity of first contact pays for the support thereof without delay.

C. The First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations (AFN) filed a Canadian Human Rights Act complaint in 2007 alleging Canada's inequitable provision of First

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Nations Child and Family Services (FNCFS) and its choice not to implement Jordan's Principle were discriminatory resulting in serious and irremediable harms.

D. The Canadian Human Rights Tribunal (CHRT) substantiated the discrimination claim in 2016 CHRT 2 and ordered Canada to cease its discriminatory conduct immediately.

E. On December 31, 2021, an Agreement in Principle (AIP) was signed as a framework for the negotiations of a Final Settlement Agreement (FSA) on the FNCFS Program, Jordan's Principle, and the reform of Indigenous Services Canada.

F. The CHRT Parties have agreed to split the FSA negotiations with a child and family services agreement to come first and an agreement on Jordan's Principle to follow.

G. Canada, the AFN, Chiefs of Ontario (COO) and Nishnawbe-Aski Nation (NAN) completed a draft Final Settlement Agreement, which was made public on July 11, 2024 in English only and on August 14, 2024 in French, and which was rejected by First Nations-in-Assembly on October 17, 2024.

H. On October 18, 2024, the First Nations-in-Assembly rejected the resolution to adopt the draft FSA and adopted AFN Resolution 60/2024, *Addressing Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle* and AFN Resolution 61/2024, *Meaningful Consultation on Long-Term Reform of First Nations Child and Family Services*.

I. Resolution 60/2024 directs the AFN Executive Committee to adopt the following approach to the negotiation of agreements related to the FNCFS Program and Jordan's Principle (the LTR Agreements):

- **i.** Establish a national Children's Chiefs Commission with representation from all regions to oversee and provide strategic direction in relation to the LTR Agreement negotiations, reporting back to the First Nations-in-Assembly;
- **ii.** The Children's Chiefs Commission will establish a negotiation team, with regional representation and a new legal team, that will be responsible for carrying out the negotiations for the LTR Agreements under the direction of, and reporting to, the Children's Chiefs Commission;
- **iii.** The negotiation team's Terms of Reference for the FNCFS Program will be provided to the First Nations-in-Assembly for approval no later than December 2024; and
- **iv.** The Children's Chiefs Commission will report to the First Nations-in-Assembly in December 2024 as to its anticipated timeframes for the completion of negotiations in relation to the FNCFS Program and on the anticipated timeframes for the Terms of Reference for Jordan's Principle.

J. The 2021 Agreement-in-Principle (AIP) includes provisions that conflict with the negotiation priorities and directives established by the First Nations-in-Assembly, specifically:

- **i.** the AIP's reliance on a population-based funding formula for prevention is inconsistent with the First Nations-in-Assembly's call for a needs-based funding structure to ensure equitable resource allocation;
- **ii.** the AIP's proposed conflict resolution mechanism excludes the unconditional participation of the First Nations Child and Family Caring Society, contrary to the First Nations-in-Assembly's directive to include the Caring Society in all negotiations; and

iii. the AIP's stipulation that, upon signing a Final Settlement Agreement, the Parties will seek to terminate the jurisdiction of the CHRT directly opposes the First Nations-in-Assembly's call for the CHRT to retain jurisdiction to oversee and ensure the effective implementation of any agreement.

K. A draft terms of reference for the Children's Chiefs Commission's has been developed, key elements of which include:

i. **Accountability:** the Children's Chiefs Commission will be accountable to First Nations-in-Assembly, First Nations youth, and to First Nations who are not members of the AFN, through processes that it establishes;

ii. **Objectives:** the draft terms of reference set out certain substantive objectives that must be met through the negotiation of the LTR Agreements to fully eliminate Canada's systemic discrimination in FNCFS and Jordan's Principle and ensure it does not reoccur;

iii. **Guiding principles:** the draft terms of reference set out principles that will guide the Children's Chiefs Commission's work;

iv. **Composition:** the Children's Chiefs Commission will be comprised of: (i) one (1) regional representative, an alternate, and their technician(s) from each of the 11 AFN regions; (ii) one (1) regional representative, an alternate, and their technician(s) for every region not represented by AFN; (iii) an Elder/Knowledge Keeper representative; and (iv) and a youth representative;

v. **Inclusion and representation:** the Children's Chiefs Commission will take positive and effective measures to seek out the input and expertise of: (i) First Nations and their rightsholders; (ii) First Nations child and family service providers; (iii) Elders and Youth; (iv) The National Advisory Committee (NAC) and Expert Advisory Committee (EAC); (v) regional and independent experts, including the Jordan's Principle Operations Committee Caucus; and (vi) non-AFN member First Nations;

vi. **Reporting and accountability:** the Children's Chiefs Commission will regularly report to First Nations-in-Assembly, First Nations not represented by the AFN, and the AFN Executive on its progress in relation to the LTR Agreements;

vii. **Meetings:** the Children's Chiefs Commission will meet monthly or more frequently as and when required;

viii. **Decision-making:** the Children's Chiefs Commission will operate by consensus wherever possible in providing strategic direction and oversight of the LTR Agreements negotiations, respecting traditional First Nations decision-making processes;

ix. **Deliverables:** the Children's Chiefs Commission will present key deliverables to the First Nations-in-Assembly and First Nations who are not members of the AFN for their review, consideration, and approval; and

x. **Funding:** the Children's Chiefs Commission will work with Indigenous Services Canada to secure funding for their work including independent legal and technical assistance, ensuring all First Nations have adequate resources to understand and contribute to the LTR Agreements.

L. A draft terms of reference for the negotiation team has also been developed, key elements of which include:

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SPECIAL CHIEFS ASSEMBLY
December 3, 4, 5, 2024, Ottawa, ON **Resolution no. 90/2024**

TITLE:	**Safeguarding First Nations Children and Holding Canada Accountable for its Canadian Human Rights Tribunal Legal Obligations**
SUBJECT:	Child Welfare
MOVED BY:	Chief Vicky Chief, Timiskaming First Nation, QC
SECONDED BY:	Aaron Nicholas, Proxy, Tobique First Nation, NB
DECISION	Carried; 9 opposed; 12 abstentions

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

i. Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

ii. Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them.

iii. Article 37: Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements, and other constructive arrangements.

B. The First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations (AFN) filed a *Canadian Human Rights Act* complaint in 2007 alleging Canada's inequitable provision of First Nations Child and Family Services (FNCFS) and its choice not to implement Jordan's Principle were discriminatory resulting in serious and irremediable harms.

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C. The Canadian Human Rights Tribunal (the Tribunal) substantiated the human rights complaint in 2016 and ordered Canada to cease its discriminatory practices, reform the FNCFS program and immediately implement the full scope of Jordan's Principle.

D. The Tribunal has retained jurisdiction over the human rights complaint and has provided numerous additional orders to guide a dialogic process through which the Parties to the complaint negotiate long-term reform that will end Canada's discrimination and prevent any reoccurrence of the discrimination.

E. Since 2016, the Tribunal has issued 31 procedural and non-compliance orders.

F. On December 12, 2023, the Caring Society filed a non-compliance motion with the Tribunal to address Canada's chronic breaches of existing orders on Jordan's Principle, causing serious harms to First Nations children, youth and families. The matter was heard on September 10-12, 2024.

G. First Nations-in-Assembly voted to reject a draft final settlement agreement (FSA) on long-term reform of the FNCFS program and called for a process to end Canada's discrimination in First Nations child and family services and Jordan's Principle and make sure it does not happen again in AFN Resolutions 60/2024 and 61/2024.

H. On November 21, 2024, the Tribunal issued a letter decision, with reasons to follow, on the Caring Society's non-compliance motion filed in December 2023 regarding the Government of Canada's breaches of existing Tribunal orders on Jordan's Principle.

I. In its November 21, 2024 ruling, the Tribunal affirmed the presumption of substantive equality as a right owed to First Nations children and ordered Canada to, among other measures, immediately address the backlogs in Jordan's Principle cases, set uptriaging for urgent cases, confirm that First Nations who have taken on Jordan's Principle work have the sufficient resources to do so, reimburse approved Jordan's Principle requests in a timely manner, report on its progress in coordinating federal programs and work with the Parties to install an interim and independent national complaints mechanism.

J. The Tribunal also ordered Canada to consult with the Parties on several issues, with the goal of reaching consent order requests, and recognized that it would be beneficial to have all Parties at the table, including First Nations who are not a part of the proceedings.

K. The British Columbia First Nations Leadership Council (FNLC), which was granted interested party status and intervened in the non-compliance motion, can only participate in these consultations with the consent of all Parties. On December 4, 2024, Canada has responded that they do not consent to the FNLC participation in the consultations.

L. The cumulative total of the Tribunal's orders on FNCFS is estimated at $45 billion to fund FNCFS and is the minimum amount to ensure non-discrimination and prevent its recurrence.

M. All First Nations children on and off reserve and living in self-governing First Nations have a right to receive substantively equal and culturally based child and family services and/or Jordan's Principle and live free of Canada's discrimination now and forever.

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THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Support the November 21, 2024, Canadian Human Rights Tribunal (Tribunal) letter decision on Jordan's Principle to address Canada's non-compliance.
2. Confirm that the $47.8 billion is only the floor for negotiations to achieve long-term reform of First Nations Child and Family Services (FNCFS).
3. Direct Canada to obtain a new negotiation mandate within thirty (30) days of this resolution passing to achieve Long Term Reform of FNCFS and Jordan's Principle in full alignment with Assembly of First Nations (AFN) Resolutions 60/2024 and 61/2024.
4. Support regions, parties and the National Children's Chiefs Commission (NCCC) to undertake any legal action should Canada fail to obtain an adequate new negotiation mandate within thirty (30) days, in which case the First Nations-in-Assembly will deem Canada to be dishonorably in violation of the duty of diligent implementation flowing from the honour of the Crown constitutional principle.
5. Call on Canada to provide adequate funding, including reimbursement of legal fees at actual cost, to an entity(ies) determined by the NCCC to support its work.
6. Call on Canada to not seek judicial review of the November 21, 2024 Tribunal letter decision on Canada's non-compliance on Jordan's Principle.
7. Call on Canada to take immediate and effective measures to fully implement all Tribunal orders including the November 21, 2024 Tribunal letter decision on Jordan's Principle.
8. Support the NCCC participation in further legal proceedings, including before the Tribunal, to ensure First Nations children, youth and families receive the full benefit of existing Tribunal orders and to seek additional remedies as required.
9. Fully and publicly support the British Columbia First Nations Leadership Council (FNLC) participation in the consultations ordered in the November 21, 2024 Tribunal letter decision on Canada's non-compliance on Jordan's Principle, as well as any request, from any other regions, to seek interested party status in this Canadian Human Rights Tribunal case.
10. Call on Canada to retract their opposition, and to support the FNLC participation in the consultations ordered by the Tribunal in the November 21, 2024 letter decision on Jordan's Principle.

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January 28, 2025
For discussion only

Addressing Canada's non-compliance with existing Canadian Human Rights Tribunal orders on First Nations Child & Family Services and Jordan's Principle to address the immediate needs of children and families

KEY ISSUES

- Following the September 2024 hearing on Canada's non-compliance with Jordan's Principle orders, the Canadian Human Rights Tribunal (the Tribunal) issued a letter-decision, with reasons to follow, ordering Canada to immediately address the backlog of Jordan's Principle requests and report on their progress by December 10, 2024.
- Citing operational challenges internal to Indigenous Services Canada (ISC), Canada indicated in its December 10, 2024 report that it cannot comply with the Tribunal's orders to review and triage the backlog and cannot estimate when the backlog will be resolved.[1]
- The Tribunal offered mediation to commence immediately so the parties could reach agreement on key implementation issues. In the Tribunal's December 17, 2024 case management conference, all the Parties committed to Tribunal-assisted mediation.
- Canada filed an application for judicial review of the Tribunal's letter-decision on December 20, 2024, and intends to file a motion to place the judicial review in abeyance until Canada has reviewed the Tribunal's full written reasons that are to be issued after the letter-decision. Canada also reiterated its commitment to continue with Tribunal-assisted mediation.
- On January 10, 2025, Canada informed the Caring Society that its mandate does not permit national-level negotiations for the long-term reform of First Nations Child & Family Services (FNCFS) based on the First Nations-in-Assembly's resolutions passed in October and December 2024. Canada did not propose any path forward for a national approach and confirmed it was prepared to negotiate an agreement on First Nations child and family services with Chiefs of Ontario (COO) and Nishnawbe Aski Nation (NAN) only.
- Canada has not indicated any willingness to negotiate long term reform of Jordan's Principle with any of the parties including COO and NAN.
- On January 14, 2025, the Caring Society filed a motion with the Tribunal seeking orders to compel Canda to return to the negotiation table consistent with Canada's legal obligations flowing from the Tribunal's orders and Honour of the Crown.
- Delaying the full and proper implementation of the Tribunal's orders on Jordan's Principle and FNCFS poses a serious risk to children, youth and families, and

[1] Canada's December 10, 2024 Report to the Canadian Human Rights Tribunal, page 2. fncaringsociety.com/publications/canadas-december-10-2024-report-chrt-re-jordans-principle-non-compliance-summary.

contradicts the express direction provided by First Nations-in-Assembly via AFN Resolutions 60/2024, 61/2024, 87/2024, 88/2024, 89/2024 and 90/2024.

- At least three children have died in ways linked to Canada's non-compliance with Jordan's Principle since January of 2024, and many others have experienced serious harm. The Assembly of Manitoba Chiefs and many other First Nations have raised the serious consequences for their children and families flowing from Canada's non-compliance.

RECOMMENDED NEXT STEPS

- Develop a positions document that sets out the priorities, needs and proposed solutions for First Nations children in NWT respecting child and family services and Jordan's Principle. Share with the Parties to the Tribunal proceedings and the NCCC for support, if desired.
- AFN Resolution 90/2024 calls on Canada to not seek judicial review of the Tribunal letter-decision and take immediate and effective measures to implement all Tribunal orders, including the letter-decision. The Dene Chiefs should urge Canada to withdraw the judicial review.
- Consistent with AFN Resolution 90/2024, Dene Chiefs could appoint legal counsel and file a motion for interested party status before the Canadian Human Rights Tribunal on a motion for long term reform respecting *First Nations Child and Family Caring Society et al. v. Attorney General of Canada T1340/7008*. Should the Dene Chiefs' legal counsel wish to speak with the lawyers representing the Caring Society regarding interested party status, please find their contact details below:
    - David Taylor, Conway Baxter Wilson LLP at dtaylor@conwaylitigation.ca
    - Sarah Clarke, Clarke Child & Family Law at sarah@childandfamilylaw.ca

DOCUMENTS

- Canadian Human Rights Tribunal's November 21, 2024 Letter-Decision
    - Caring Society's information sheet letter-decision
- Canada's December 10, 2024 report to the Tribunal
- Canada's December 20, 2024 application for judicial review of the Tribunal's November 2024 Letter-Decision
- Caring Society's information sheet on intervening on motions before the Canadian Human Rights Tribunal
- Caring Society's January 14, 2025 motion to the Tribunal regarding Canada's breach of the Tribunal's consultation orders

BACKGROUND

On December 12, 2023, the Caring Society filed a non-compliance motion with the Tribunal regarding the Government of Canada's chronic and wilful failure to adhere to the Tribunal's orders on Jordan's Principle. The Caring Society identified the following concerns regarding Canada's failure to adhere to the Tribunal's orders on Jordan's Principle, including its failure to adhere to the Tribunal's timelines for determining requests, failure to adhere to reasonable timeframes to fund and reimburse approved requests and failure to adopt accountability measures to ensure the Tribunal's orders are upheld.

The Tribunal encouraged Jordan's Principle non-compliance proceedings to be heard expeditiously in April or May of 2024, but the matter was delayed to June, August and then September 2024 due to requests for procedural delays from the Assembly of First Nations (AFN) and Canada.

On September 10-12, 2024, a hearing on the non-compliance motion and cross-motion took place. On November 21, 2024, the Tribunal issued a summary ruling ordering Canada to immediately tackle and eliminate the backlog and report on their progress by December 10, 2024. The Tribunal also ordered the Parties to co-develop measures and mechanisms to address urgent requests, reimbursement delays, coordination among federal programs, referrals to other services, the 24-hour call centre, and a national and independent complaints mechanism.

On December 20, 2024, Canada filed an application for judicial review of the Tribunal's November 21, 2024, letter-decision. Canada also intends to file a motion to place the judicial review in abeyance, or "on pause," until Canada has reviewed the Tribunal's full written reasons that are to be issued after the letter-decision. Canada also reiterated its commitment to continue with Tribunal-assisted mediation. It is the Caring Society's experience that Canada has proceeded with its judicial review in all instances except one throughout this case.

On January 7, 2025, Canada advised that will negotiate an agreement on the long-term reform of FNCFS with COO and NAN only. The Caring Society wrote to Canada asking that it commit to return to the negotiation table, in line with the Tribunal's February 2018 consultation order ruling that Canada must consult directly with AFN, the Caring Society, COO, and NAN in a manner consistent with the Honour of the Crown and to eliminate the discrimination. On January 14, 2025, Canada wrote again to the Caring Society to advise that its mandate does not permit national-level negotiations for the long-term reform of First Nations Child & Family Services (FNCFS).

On January 14, 2025, the Caring Society filed a motion with the Tribunal seeking orders to compel Canda to return to the negotiation table consistent with Canada's legal obligations flowing from the Tribunal's orders and Honour of the Crown.

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Briefing Note
Analysis Child and Family Service Data
January 22, 2025
Prepared by Leanne Goose, Greg Nasogaluak, and Kyle Napier

This is the working Draft and update on CFS Data collection.
The DN-FNDGS team has been tasked with responding to gaps in data and publicly available literature concerning ongoing issues regarding Child and Family Services / Child Welfare Services as administered and maintained by the Government of the Northwest Territories.

This is a proposal for a business case scenario for Dene Nation to administer and determine Child and Family Services for Dene, in a Dene-specific child and family consideration process.

1. **Available Data**

a. Office of Auditor General
   i. 2014 — Office of Auditor General released report identifying "systemic, serious, long-standing deficiencies in services provided to children and families that put children's safety at risk and failed to support their best interests and well-being"; Auditor General issued recommendations
   ii. 2018 — "many of the services provided to children and families were worse" than when examined in 2014
   iii. No reports from the Office of Auditor General have been provided on Child and Family Services since 2018, despite the 2018 analysis of CFS in NWT as being determined as "worse" than in 2014.

b. Annual reports — GNWT-HSSA
   i. Qualifiers for apprehension are determined by the GNWT-HSSA (p.6), which include recognized signs for Physical, Emotional, or Sexual Abuses; Neglect; and Exposure to Domestic Violence
   ii. 2016 — six of eight Health and Social Services regions merged within territory-wide NTHSSA; two regions remain independent — the Tlicho Community Services Agency and the Hay River Health and Social Services Authority;
   iii. 2019 — GNWT moved to a different data analysis tool which has made it more challenging to provide accurate data on Child and Family Services
   iv. 2020 — Annual Operating Budget: ~$40M/year — breakdown of spending not available
   v. 2024 — 99% of all children apprehended through Child and Family Services are Indigenous
   vi. 2024 — There are no mentions of fiscal accountability, budgets, spending, capital, money, the $ symbol, or funding allotments in the 58-page 2023-2024 report.
   vii. "In 2023-2024, 941 unique households and 2,976 unique children/youth were interviewed" ; information on apprehension is not collatable.
   viii. 2025 — 2024-2025 NWTHSSA Operating Plan — $46.945M dedicated to CFS; does not provide a budget or budgetary breakdown of spending
   ix. More than 1,000 children/year (10% of all children in the NWT) are either apprehended or given preventative services, as shared from NWTHSSA
   x.

2. **Further demographics and surveys to consider:**

a. CWS Annual Budget lumped into HSS budget as a whole (not delineated)

b. GNWT maintains a post-devolution economic interest in administering Child and Family Services across the NWT

c. How have other regions determined their own Child and Family Services processes, such as the Cowesses First Nation' "Miyo Pimatisowin Act"; or the Inuvialuit Regional Corporations' Inuvialuit Qitunrariit Inuuniarnikkun Maligaksa

d. How many children from specific regions (ie. Sahtu) and specific communities have been apprehended (April 1, 1991 — March 31, 2022); regional and community delineation and breakdown over time

e. Families which accessed services — types of services accessed
   i. # Of children apprehended during that period
   ii. How many families were affected by Child and Family Services?

f. Considerations: Office of Auditor General "did not examine adoption (custom or regular), youth justice, how the court system administers child and family services, or the role of the Office of the Children's Lawyer… or the new Matrix database system (2017)"

3. **Gaps in literature:**

The GNWT has been withholding relevant information from the public — this includes data and information related to annual operating budget of Child and Family Services, annual budgetary breakdowns, the number of children apprehended, the regional impacts of Child and Family Services.

a. Considerations to access information regarding departmental budgetary breakdown:
   i. ATIP/FOIP Request
   ii. Information from Members of Legislative Assembly:
      1. Through Dene communities in MLA ridings, ensure communities maintain consistent communications regarding addressing issues of transparency and fiscal accountability from MLAs in their riding
   iii. Gather information from representative ministers —
      1. Minister of HSSA
      2. Minister of Finance

b. What is the annual fiscal transfer from the federal government to the GNWT to administer CFS? Where is this information hidden?

c. What is the actualized cost of administering Child and Family Services within GNWT?
   i. What is the cost per year / per family as considered by ISC, per those apprehended individuals considered as Indians (s.35)?

d. Compare expected costs from ISC with actualized costs from GNWT

e. What are the billing codes for health and social services which use health care administration numbers? (re: D# on health care, or N#)

f. How many applications to Jordan's Principle were received but not delivered on?

g. How many letters were sent to Indigenous governing bodies, with respect to S. 12 of the federal *Act respecting First Nations, Inuit and Métis children, youth and families?*

h. What will it cost for Dene Nation to deliver these services?

i. How many of these children or families are registered as First Nations, within Dene nations, within the NWT?

i. How would Dene Nation deliver similar services within our own regions? Considerations of technological data, social data, training, social services, etc.

Expected Deliverables:

- Template Letter: For communities to request their own respective information
- Template Letter: For providing information to Tlicho Community Services Agency
- Four letters: [Tone: Letters should be kind/cordial; they should produce as much information as possible so we don't have to ask families about their experiences]
    - ISC — Responsible party for funding, allocated and delivered through devolution
        - Interrogation of GNWT's obligations through S.12 of federal *Act respecting First Nations, Inuit and Métis children, youth and families*
    - GNWT
        - GNWT(a) — Request for Information
            - GNWT — disbanded health care board, "burden to this individual should be lessened"
        - GNWT(b) — Request for Funding to Address Information Gaps
            - DN to share information, GNWT to share information
            - Money from GNWT should be used to support our findings
- NWT Council of Leaders has direct relationship to GNWT
- Annual report (DN-FNDGS) asked to be support basket regarding all Dene Nation data, direction from Dene Nation chiefs to find information related to CFS ;
- Report to Chiefs Committee on Health — DN-FNDGS tasked with determining associated costs with medical travel, care, accompaniment

Assembly of First Nations
Executive Committee Meeting
Virtual Meeting
January 21, 2025

MOTION #3: Direction on Jordan's Principle Litigation

Whereas the Assembly of First Nations ("AFN") implements the decisions and mandates of the First Nations-in-Assembly, as adopted by resolution, reflecting the collective sovereign will of First Nations;

Whereas in implementing the decisions of the First Nations-in-Assembly, the AFN Executive Committee must comply in all cases with the true spirit and intent of the resolutions passed by First Nations-in-Assembly;

Whereas the National Chief and the AFN Secretariat act under the direction and authority of the AFN Executive;

Whereas First Nations children are in an emergency situation and at immediate risk because of high-medical and specialized needs and are waiting for Jordan's Principle decisions, and their number is growing;

Whereas the October Resolutions 60/2024 & 61/2024 and December Resolutions 87/2024, 88/2024, 89/2024 & 90/2024, passed by the First Nations-in-Assembly ("First Nations-in-Assembly Resolutions"), notably, establish the National Children's Chiefs Commission ("NCCC") and direct it to establish a negotiation team, with regional representation, and a new legal team;

Whereas it is essential for the physical, spiritual, emotional, and cognitive well-being of First Nations' children that Long-Term Reform Negotiations on First Nations Child and Family Services and on Jordan's Principle (together, the "LTR Negotiations"), and all the related legal proceedings, including at the Canadian Human Rights Tribunal ("CHRT") in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada* ("*FNCFCS et al. v. Canada*"), move forward without delay; and

Whereas on December 18, 2024, the NCCC adopted in principle, by consensus, its terms of reference.

Therefore, the AFN Executive Committee hereby:

1. **Directs** that: (i) the new process for the LTR Negotiations and the related legal proceedings, including at the CHRT (*FNCFCS et al. v. Canada*) proceed without any delay; and (ii) the AFN not take any actions whatsoever that seek to, or cause, delay in those matters;

2. **Instructs** that the AFN: (i) immediately withdraw its request to extend the CHRT deadlines, including those referenced in the CHRT letter decision of November 21, 2024, thereby rescinding any request by, or support from, AFN to delay implementation of the CHRT orders beyond the current deadlines set by the CHRT; and (ii) oppose any motions by, or requests from, Canada seeking to delay, in any way, the implementation of the CHRT orders;

3. **Directs**: (i) the National Chief, acting pursuant to Article 18(9) of the AFN Charter and in collaboration with the AFN Executive, to forthwith assign or re-assign the portfolio relating to First Nations Children

and Families, including matters pertaining to the LTR Negotiations and the CHRT hearing (*FNCFCS et al. v. Canada*) to [**Regional Chief XXXX**] and to [**Regional Chief YYYY**] and an alternate portfolio holder (collectively, the "Portfolio Holders"); and (ii) the Portfolio Holders to meet with the NCCC to determine how the AFN Executive and the NCCC will work collaboratively to implement this resolution and the First Nations-in-Assembly Resolutions;

4. **Directs** the Portfolio Holders to, on behalf of the AFN, with support of legal counsel in coordination with the NCCC, retain new, external legal counsel to represent AFN in coordination with internal counsel to represent AFN at the CHRT hearing and provide instructions to the new, external legal counsel that are in accordance with the First Nations-in-Assembly Resolutions and the positions the NCCC is taking in the LTR Negotiations;

5. **Directs** the Portfolio Holders to work collaboratively with the NCCC to ensure that any position the AFN takes in the CHRT hearing (*FNCFCS et al. v. Canada*) is consistent with: (i) the First Nations-in-Assembly Resolutions; and (ii) the positions of the NCCC in relation to the LTR Negotiations;

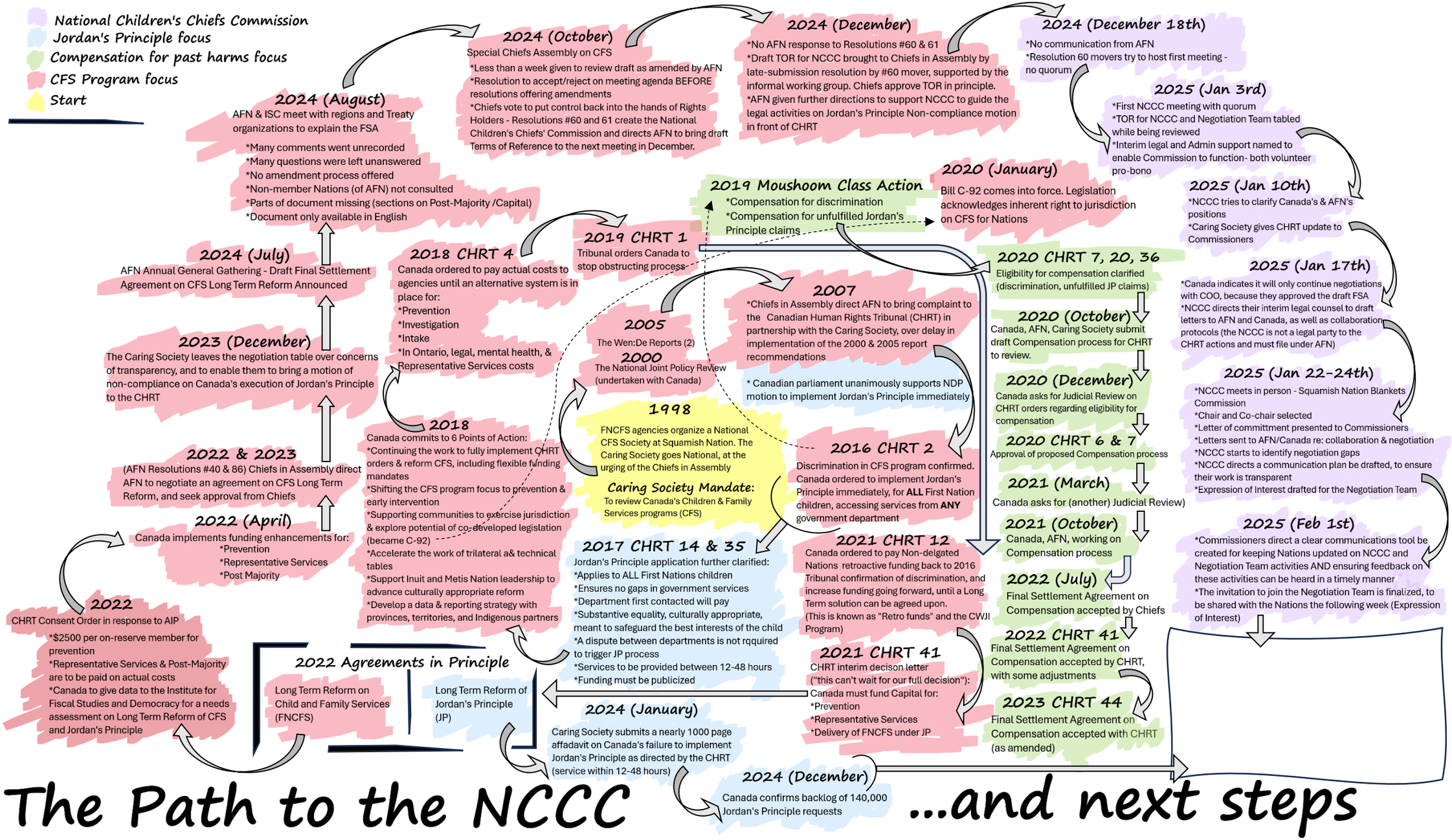
6. **Directs** that all of NCCC's costs and expenses, general and legal, be included in AFN billings under the Consultation Protocol entered into pursuant to 2018 CHRT 4 and/or any other funding arrangements with Canada;

7. **Decides** that any NCCC costs and expenses, which are not covered by the Consultation Protocol entered into pursuant to 2018 CHRT 4 and/or under any other funding arrangements with Canada, will be paid for with funds from AFN's unrestricted financial reserves and other monies within AFN's control.

Moved by:	Regional Chief Joanna Bernard
Seconded by:	Regional Chief Kluane Adamek
In favour:	Regional Chief Joanna Bernard, NB Regional Chief Bobby Cameron, SK Regional Chief Kluane Adamek, YT Regional Chief George Mackenzie, NT Regional Chief Ghislain Picard, QL Regional Chief Terry Teegee, BC Regional Chief Wendell LaBobe, PEI
Opposed:	Regional Chief Brendan Mitchell, NL Regional Chief Andrea Paul, NS
Abstentions:	Regional Chief Willie Moore, MB

Motion carried.

DRAFT


National Children's Chiefs Commission
Jordan's Principle focus
Compensation for past harms focus
CFS Program focus
Start
2024 (August)
AFN & ISC meet with regions and Treaty organizations to explain the FSA
*Many comments went unrecorded
*Many questions were left unanswered
*No amendment process offered
*Non-member Nations (of AFN) not consulted
*Parts of document missing (sections on Post-Majority /Capital)
*Document only available in English
2024 (October)
Special Chiefs Assembly on CFS
*Less than a week given to review draft as amended by AFN
*Resolution to accept/reject on meeting agenda BEFORE resolutions offering amendments
*Chiefs vote to put control back into the hands of Rights Holders - Resolutions #60 and 61 create the National Children's Chiefs' Commission and directs AFN to bring draft Terms of Reference to the next meeting in December.
2024 (December)
*No AFN response to Resolutions #60 & 61
*Draft TOR for NCCC brought to Chiefs in Assembly by late-submission resolution by #60 mover, supported by the informal working group. Chiefs approve TOR in principle.
*AFN given further directions to support NCCC to guide the legal activities on Jordan's Principle Non-compliance motion in front of CHRT
2024 (December 18th)
*No communication from AFN
*Resolution 60 movers try to host first meeting - no quorum
2025 (Jan 3rd)
*First NCCC meeting with quorum
*TOR for NCCC and Negotiation Team tabled while being reviewed
*Interim legal and Admin support named to enable Commission to function- both volunteer pro-bono
2025 (Jan 10th)
*NCCC tries to clarify Canada's & AFN's positions
*Caring Society gives CHRT update to Commissioners
2025 (Jan 17th)
*Canada indicates it will only continue negotiations with COO, because they approved the draft FSA
*NCCC directs their interim legal counsel to draft letters to AFN and Canada, as well as collaboration protocols (the NCCC is not a legal party to the CHRT actions and must file under AFN)
2025 (Jan 22-24th)
*NCCC meets in person - Squamish Nation Blankets Commission
*Chair and Co-chair selected
*Letter of committment presented to Commissioners
*Letters sent to AFN/Canada re: collaboration & negotiation
*NCCC starts to identify negotiation gaps
*NCCC directs a communication plan be drafted, to ensure their work is transparent
*Expression of Interest drafted for the Negotiation Team
2025 (Feb 1st)
*Commissioners direct a clear communications tool be created for keeping Nations updated on NCCC and Negotiation Team activities AND ensuring feedback on these activities can be heard in a timely manner
*The invitation to join the Negotiation Team is finalized, to be shared with the Nations the following week (Expression of Interest)
2020 (January)
Bill C-92 comes into force. Legislation acknowledges inherent right to jurisdiction on CFS for Nations
2019 Moushoom Class Action
*Compensation for discrimination
*Compensation for unfulfilled Jordan's Principle claims
2020 CHRT 7, 20, 36
Eligibility for compensation clarified (discrimination, unfulfilled JP claims)
2020 (October)
Canada, AFN, Caring Society submit draft Compensation process for CHRT to review.
2020 (December)
Canada asks for Judicial Review on CHRT orders regarding eligibility for compensation
2020 CHRT 6 & 7
Approval of proposed Compensation process
2021 (March)
Canada asks for (another) Judicial Review)
2021 (October)
Canada, AFN, working on Compensation process
2022 (July)
Final Settlement Agreement on Compensation accepted by Chiefs
2022 CHRT 41
Final Settlement Agreement on Compensation accepted by CHRT, with some adjustments
2023 CHRT 44
Final Settlement Agreement on Compensation accepted with CHRT (as amended)
2024 (July)
AFN Annual General Gathering - Draft Final Settlement Agreement on CFS Long Term Reform Announced
2023 (December)
The Caring Society leaves the negotiation table over concerns of transparency, and to enable them to bring a motion of non-compliance on Canada's execution of Jordan's Principle to the CHRT
2022 & 2023
(AFN Resolutions #40 & 86) Chiefs in Assembly direct AFN to negotiate an agreement on CFS Long Term Reform, and seek approval from Chiefs
2022 (April)
Canada implements funding enhancements for:
*Prevention
*Representative Services
*Post Majority
2022
CHRT Consent Order in response to AIP
*$2500 per on-reserve member for prevention
*Representative Services & Post-Majority are to be paid on actual costs
*Canada to give data to the Institute for Fiscal Studies and Democracy for a needs assessment on Long Term Reform of CFS and Jordan's Principle
2018 CHRT 4
Canada ordered to pay actual costs to agencies until an alternative system is in place for:
*Prevention
*Investigation
*Intake
*In Ontario, legal, mental health, & Representative Services costs
2019 CHRT 1
Tribunal orders Canada to stop obstructing process
2005
The Wen:De Reports (2)
2000
The National Joint Policy Review (undertaken with Canada)
2007
*Chiefs in Assembly direct AFN to bring complaint to the Canadian Human Rights Tribunal (CHRT) in partnership with the Caring Society, over delay in implementation of the 2000 & 2005 report recommendations
* Canadian parliament unanimously supports NDP motion to implement Jordan's Principle immediately
1998
FNCFS agencies organize a National CFS Society at Squamish Nation. The Caring Society goes National, at the urging of the Chiefs in Assembly
Caring Society Mandate:
To review Canada's Children & Family Services programs (CFS)
2018
Canada commits to 6 Points of Action:
*Continuing the work to fully implement CHRT orders & reform CFS, including flexible funding mandates
*Shifting the CFS program focus to prevention & early intervention
*Supporting communities to exercise jurisdiction & explore potential of co-developed legislation (became C-92)
*Accelerate the work of trilateral a& technical tables
*Support Inuit and Metis Nation leadership to advance culturally appropriate reform
*Develop a data & reporting strategy with provinces, territories, and Indigenous partners
2016 CHRT 2
Discrimination in CFS program confirmed. Canada ordered to implement Jordan's Principle immediately, for ALL First Nation children, accessing services from ANY government department
2017 CHRT 14 & 35
Jordan's Principle application further clarified:
*Applies to ALL First Nations children
*Ensures no gaps in government services
*Department first contacted will pay
*Substantive equality, culturally appropriate, meant to safeguard the best interests of the child
*A dispute between departments is not rqquired to trigger JP process
*Services to be provided between 12-48 hours
*Funding must be publicized
2021 CHRT 12
Canada ordered to pay Non-delgated Nations retroactive funding back to 2016 Tribunal confirmation of discrimination, and increase funding going forward, until a Long Term solution can be agreed upon. (This is known as "Retro funds" and the CWJI Program)
2021 CHRT 41
CHRT interim decison letter ("this can't wait for our full decision"):
Canada must fund Capital for:
*Prevention
*Representative Services
*Delivery of FNCFS under JP
2022 Agreements in Principle
Long Term Reform on Child and Family Services (FNCFS)
Long Term Reform of Jordan's Principle (JP)
2024 (January)
Caring Society submits a nearly 1000 page affadavit on Canada's failure to implement Jordan's Principle as directed by the CHRT (service within 12-48 hours)
2024 (December)
Canada confirms backlog of 140,000 Jordan's Principle requests
The Path to the NCCC
...and next steps

BRIEFING NOTE
TO
DENE NATIONAL CHIEF MACKENZIE
FOR
INFORMATION

SUBJECT: **Housing Initiatives**

DATE: Feb 11 – 13, 2025

DRAFTED BY: Wilbert Cook, Director of Housing & Infrastructure

SUMMARY
Improving the quality, supply, and affordability of housing for Indigenous People living in urban, rural, and northern areas is a priority for the Dene and an important step toward that, is implementation of collective housing strategies and initiatives

PURPOSE
To provide the Assembly some information for discussion, and direction on moving forward in addressing the housing crisis.

CURRENT STATUS
Access to affordable and reliable housing is a major issue faced by Dene people, especially in the more remote and isolated communities of Denendeh. Among the many issues, following are ones which have been compiled as areas needing collaboration, discussion, and input from our Leaders:

1. Housing Options
2. Alignment with Community Housing Plans
3. Training
4. Indigenous and Northern Housing Designs
5. Advocacy
6. Secure Adequate Funding

RECOMMENDATION
Although it is recognized and supported that some regions and self-governing bodies have successfully acquired funding and implemented housing strategies, collectively we can advocate for sufficient resources to close the gap in housing.

Together we can achieve innovative housing governance systems that support First Nations housing and related infrastructure. This will ensure First Nations perspectives, Aboriginal and Treaty rights are recognized and respected.

BRIEFING NOTE
From: Georges Erasmus, Chair, CRC

To: Dene Nation

Re: Report of the Constitutional Reform Commission (CRC)

SUMMARY

The CRC was established in early 2019 with a mandate to advise the Dene National Chief and Leadership on options for updating the Dene Nation corporate Constitution and By-laws to bring them into compliance with decades of Assembly and Leadership resolutions and to reflect the current realities and needs of the Dene Nation.

We divided the large and cluttered old "Constitution and By-laws" document into two separate documents and incorporated all of the direction given through the resolutions, and also cleaned up duplication, contradictions and other problems. The new draft Constitution and B-Laws also contains new rules to allow for assemblies and leadership meetings to be held by electronic means, and it clarifies and modernizes the roles of the National Chief, Executive, Leadership and senior staff of the Dene Nation.

The CRC also drafted a Declaration of the United Dene, which is intended as a statement of the fundamental principles on which the unity of the Dene Nation is based.

Progress of Work

During our mandate the Commissioners spent much time consulting with Dene Nation leaders and elders and discussing the fundamental nature of the Dene Nation and the basic principles which should be incorporated into an updated Dene Nation constitution.

Based on those discussions and the direction given by Leaders, the CRC:

a) Put together a chronological record of the Dene Nation mandate documents, including Dene Declaration, the Dene Nation corporate Constitution and By-laws, motions from the Dene Leadership and General Assemblies, etc;

b) developed a draft Declaration of the United Dene, which will express the fundamental principles upon which Dene unity is based;

c) reviewed the existing Dene Nation Constitution and By-laws for gaps, contradictions and duplication and to ensure that it accurately reflects the nature, values and objectives of the Dene Nation;

d) divided the Constitution and By-laws into 2 separate documents, with major constitutional principles in the Constitution and corporate organizational details set out in a draft Organizational By-law;

e) drafted revisions to the Constitution and By-laws which address redundancies, gaps and contradictions and bring these documents more in line with direction found in Dene Nation Assembly resolutions;

f) modernized the DN Constitution and By-laws by adding timelines for the submission of resolutions, allowing for meetings by video or teleconference when face-to-face meetings are not possible, and describing the roles of the Women's Council, Elders Council, Youth Council and the CEO of the Dene Nation; and

g) clarified and modernized the roles of the National Chief, Executive Committee and Leadership.

I

The undersigned hereby apply to the Minister of Industry for the grant of a charter by letters patent under the provisions of Part II of the *Canada Corporations Act* constituting the undersigned, and such others as may become members of the Corporation thereby created, a body corporate and politic under the name of

DENE NATION

The undersigned have satisfied themselves and are assured that the proposed name under which incorporation is sought is not the same or similar to the name under which any other company, society, association or firm, in existence is carrying on business in Canada or is incorporated under the laws of Canada or any province thereof or so nearly resembles the same as to be calculated to deceive (* and, where required by the circumstances: "except that of which has signified its consent to the use of the said name") and that it is not a name which is otherwise on public grounds objectionable.

II

The applicants are individuals of the full age of eighteen years with power under law to contract. The name, the address and the occupation of each of the applicants are as follows:

BILL ERASMUS, Dene National Chief,
5120 - 49 Street, P.O. Box 2338, Yellowknife, NT X1A 2P7.

CHARLES FURLONG, Chief
GWICH'IN
P.O. Box 118, Aklavik, NT X0E 0A0

MICHAEL M. NADLI, Grand Chief
DEH CHO TERRITORY GOVERNMENT
P.O. Box 89, Deh Cho First Nations Building, Fort Simpson, NT X0E 0N0

The said:

1. BILL ERASMUS
2. CHARLES FURLONG
3. MICHAEL M. NADLI

will be the first directors of the Corporation.

III

The objects of the Corporation are:

(a) To support the Dene Territories and Dene Communities in upholding the rights and interests of the Dene, including rights and interests arising from Dene use and occupation of lands (hereinafter referred to as "Denendeh") and Dene rights and interests arising from Treaties;

(b) To develop, discuss, and promote policies that will uphold and protect said rights and interests and which are, generally, for the betterment of the Dene;

(c) To develop, implement, and support programs and policies for the social, educational, health, and cultural benefit of the Dene;

(d) To recognize the cultural importance of promoting and preserving the use of Dene languages for present and future Dene generations;

(e) To give voice to the concerns, comments, and opinions of the Dene;

(f) To cooperate and develop working relationships with organizations having similar goals and objectives, including the Assembly of First Nations.

IV

The operations of the Corporation may be carried on throughout Canada and elsewhere.

V

The place within Canada where the head office of the corporation is to be situated is: (Please specify only municipality/city and province here. The complete mailing address should be indicated in the covering letter.)

YELLOWKNIFE, NORTHWEST TERRITORIES

VI

It is specially provided that in the event of dissolution or winding-up of the corporation, all its remaining assets after payment of its liabilities shall be distributed to one or more organizations in Canada carrying on similar activities.

It is specially provided that in the event of liquidation or winding-up of the corporation, all its remaining assets after payment of its liabilities shall be distributed rateably amongst the members.

VII

In accordance with Section 65 of the Canada Corporations Act, it is provided that, when authorized by by-law, duly passed by the directors and sanctioned by at least two-thirds of the votes cast at a special general meeting of the members duly called for considering the by-law, the directors of the corporation may from time to time

a) borrow money upon the credit of the corporation;

b) limit or increase the amount to be borrowed;

c) issue or cause to be issued bonds, debentures or other securities of the corporation and pledge or sell the same for such sums, upon such terms, covenants and conditions and at such prices as may be deemed expedient;

d) secure any bond, debentures or other securities, or any other present or future borrowing or liability of the company, by mortgage, hypothec, charge or pledge of all or any currently owned or subsequently acquired real and personal, movable and immovable, property of the corporation, and the undertaking and rights of the corporation.
Any such by-law may provide for the delegation of such powers by the directors to such officers or directors of the corporation to such extent and in such manner as may be set out in the by-law.

Nothing herein limits or restricts the borrowing of money by the corporation on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the corporation.

VIII

The by-laws of the corporation shall be those filed with the application for letters patent until repealed, amended, altered or added to.

BY – LAWS

1. MEMBERSHIP

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

Sahtu: K'ahbamitue (Colville Lake), Tulita, Radeli Koe (Fort Good Hope), and Deline

De Cho Territory Government: Chi Ta Gotine (Tulita), Pedzhe Ki (Wrigley), Liidlii Kue (Fort Simpson), Thedzehk'edeli Koe (Jean Marie River), Zahti Koe (Fort Providence), Tthenaago (Nahanni Butte), Echaot'I Koe (Fort Liard), K'aagee Tu (Kakisa Lake), Sambaa K'e (Trout Lake), Katl'o Dehe (Hay River Dene Reserve), and St'ueh Nda (West Point)

Tlicho Government: Bechoko (Rae-Edzo), Wha ti, Gameti, and Wekweti

Akaitcho Territory Government: Deninu K-ue (Fort Resolution), Salt River (Fort Smith), Lutsel K'e, Smiths Landing (Fort Fitzgerald), Dettah, Ndilo, 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:

(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 an 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, 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. 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 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.

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 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 Three Thousand ($3,000.00) 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 shall oversee the operational and administrative functions performed by the Chief Executive Officer of the Dene Nation who shall be hired and perform the functions and duties in accordance with the hiring policies of the Dene Nation.

4.15 The Dene National Chief shall develop with the Chief Executive Officer 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 Dene National Chief shall, on request, report to the Executive in relation to and be responsible for all operational and administrative decisions.

4.17 The Dene National Chief shall consult with, obtain the advice off, and be accountable to the Leadership in relation to statements made and actions taken on behalf of the Dene Nation.

4.18 The salary of the Dene National Chief shall be determined by resolution of the Executive, based on a pay scale approved by the Executive.

4.19 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.

4.20 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

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

4.22 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.

4.23 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.

4.24 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

4.25 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.

4.26 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.

4.27 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.

4.28 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.

4.29 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.

5.0 RAISING MONEY AND BOROWING

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 conductive 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 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 or 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 31st.

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 IS 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.

July 11, 2018

DATE

DENE NATION

NEW DRAFT CONSTITUTION AND BY-LAWS

SUMMARY OF KEY PROVISIONS AND CHANGES

Currently, the Dene Nation has a combined Constitution and By-Law. The CRC has divided that document into a separate Constitution and By-Law. The Constitution sets out the general principles which govern the organization while the By-law provides further details. This document summarizes those areas which are new in the proposed draft Constitution and By-law.

Preamble

The new preamble in the draft Constitution is based on feedback received by the CRC from Dene Nation members, including references to the UNDRIP and the historic Dene Declaration.

Definitions

The new draft By-law contains a Definitions section to define certain words used in the Constitution and By-Law.

Membership

The new drafts confirm that the members of the Dene Nation are the five regional Dene groups plus the Independent Dene Communities.

Decision Making

The new Constitution clarifies that most decisions in the Dene Nation will be made by consensus, but also that some decisions may be made by voting when consensus cannot be reached. Most decisions will require a vote of at least 2/3 to pass.

Assemblies

The new draft Constitution clarifies that the Assembly is the highest decision making body in the Dene Nation and that all Citizens have the right to attend and speak at an Assembly but only registered delegates or their proxies may vote.

The new By-law contains deadlines for the submission of resolutions and proposes that quorum for Assemblies will be "30% of the possible Voting Delegates, representing at least three (3) Dene Regions, calculated thirty (30) days prior to the date of the National Assembly".

The new documents also provide that Assemblies and other meetings may be held by electronic means, instead of face-to-face, when circumstances require.

Leadership

The new Constitution provides that "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."

The new By-law provides that Leadership will meet at least twice per year to provide political direction to the Dene Nation, and that quorum for Leadership meetings is 50% of the voting members present.

Executive

The new Constitution affirms that the Executive Committee is the board of directors of the Dene Nation corporation. The EC will be responsible for finances and budgets and for hiring and directing the CEO. The Dene National Chief is the Chair of the Executive

The Executive will consist of the National Chief, the Grand Chief or other Chief designated by each Dene Territory, one representative from the Independent Dene Communities, an Elder chosen by the Elders Council, a representative of the Women's Advisory Council, and a representative of the Youth Council. The Elder, Women's Advisory Council and Youth representatives will be non-voting members.

Dene Elders Council (DEC)

The new Constitution provides that each Dene Territory will appoint an Elder and an Alternate Elder to the DEC, for a term of two years. The Independent Dene Communities will also appoint an Elder and an Alternate to the DEC on their behalf.

The Elders Council will provide advice and support to the Executive, Leadership and National Chief. The Elders will participate in the Executive and Leadership as non-voting advisors.

Dene Youth Council (DYC)

The new Constitution would create a Dene Youth Council to provide advice and recommendations to the Executive, Leadership and National Chief. The Youth of each Dene Territory will choose a Youth delegate and an alternate, from different Dene Communities, with appointments reflecting gender balance, to the Dene Youth Council. The Youth of the Independent Dene Communities will also appoint a Youth delegate and an alternate to the DYC.

Dene Women's Advisory Council (DWAC)

The women of each Dene Territory will appoint a delegate and an alternate, from two different Dene Communities, to the Dene Women's Advisory Council, which will provide advice and recommendations to the Executive, Leadership and National Chief. The women of the Independent Dene Communities will also appoint a delegate and an alternate to the DWAC. The delegates and their alternates will serve terms of four years.

Dene National Chief

The new Constitution would clarify the role of the National Chief of the Dene Nation, including clarifying that the National Chief is the spokesperson for the Dene Nation and has overall responsibility for the efficient operation of the DN office and supervision of the CEO.

A person nominated for the position of the Dene National Chief must be a Dene Citizen at least 30 years of age at the time of the election, must not be indebted to the Dene Nation pursuant to a judgement, and must submit a criminal record check for the previous five years.

The Constitution would also extend the term of the National Chief to 4 years, beginning with the next election, and require that the National Chief reside in Yellowknife during his/her term.

Chief Executive Officer (CEO)

The current operational By-law mentions the Chief Executive Officer but says nothing about the role and responsibilities of the CEO, nor does it speak to how the CEO will be hired or managed.

The new draft clarifies that the CEO is hired by and accountable to the Executive, and that the CEO will also work under the direction of the National Chief. The CEO is responsible for the day to day management of staff and operations and for ensuring that the Dene Nation office is in compliance with all Assembly resolutions and approved policies of the DN.

The CEO will also be responsible for developing draft policies to guide the operations on the Dene Nation, including policies on contracting, personnel, conflicts of interest and spending.

DECLARATION of the UNITED DENE

We, the Dene, of Denendeh, declare our independence as a distinct people. We reside upon lands gifted to us by the Creator and intend to live life as we always have, as long as the sun shines, the rivers flow and the grass grows. We unite with our Dene relatives in the north, and in the east, south and west of us. We are told of times when all of our people once lived together as one, before migrating to all parts of the land. Though our footprint spans across the miles, we continue to be bound by common blood and land relatives, stories, legends, history, ancestors, values, principles and language. Our cooperative processes of decision making honour our inherent ties to each other, Creator, ancestors, animals, land, water, air and environment.

When Denendeh was created, we were placed here to support our land relatives. Our sacred Dene Laws were born from an agreement made with them. Together it was agreed to care for one another, be respectful, helpful, to share what we have and to take only what we need. Ceremony is used to acknowledge and honour our land relatives and to breathe life into this Agreement. We, the Dene, have been given the sacred responsibility to ensure the survival of the lands, and all it holds, and we will act upon its behalf as required.

Our stories, legends and fables are sacred to us. Our ancestors used story to teach Dene history, laws, customs, beliefs, practices, values and principles: embedding them into the lands, for our generational retention and recall. Our Dene legends tell us of powerful people who used medicine to protect us, our lands and our way of life. Through story we can recall giant beaver pelts nailed to rock, sacred arrows shot deep into the waters and a fire that continues to burn to this day. It is these stories that remind us we are a protected people, guided by Creator and the ancestors who continue to work to ensure our history and identity, as Dene, is solidified into the lands for all eternity.

Our lands carry the sacred blood of our ancestors. Those fortunate enough to walk with us, amongst our ancestors, shall walk with reverence, abiding by and having respect for our strict Dene Laws, as we do. We, the Dene, do not separate ourselves from the land, waters, air, animals and environment. Our lands akin to our body, our waters akin to our blood. We are as the land is: when it is healthy, we are healthy. We were born from this earth, and at Creators choosing, we shall return to the earth to take our sacred place amongst our ancestors.

We have effectively managed our people, waters, animals, relationships and lands since the beginning of time. Our governing processes include leaders, Elders and community members working cooperatively to make decisions for all. Our lands are a gift that we will not compromise. Those who do not understand, interpret or relate to our lands in the same way, are not qualified to make decisions, for us or our lands without our participation.

We have complex governing systems of trade, negotiations and dispute resolution. We made agreements with our land relatives and with several different Nations, Dene and non-Dene, which were either written in the lands or in text. We have survived the epidemics and residential schools, which has resulted in the erosion of our culture, ceremony, economy, language and values. With the strength and resilience of our Elders, we stand together as a protected people. We sign agreements to create partnerships in order to benefit our people and protect our way of life. Our communities, leaders, Youth and Elders together define our agreements; our agreements do not define us.

We, the Dene declare ourselves independent Nations who have and will continue to assert our right of self-determination. Together we stand unified in supporting strong communities, healthy and sustaining lands and waters, honouring all of our relations and agreements, and working in cooperation for the benefit of all.

DENE NATION
ORGANIZATIONAL BY-LAW

Subject to the Constitution of the Dene Nation, this By-Law governs the organization and functioning of the Dene Nation.

1.0 DEFINITIONS

Absentee Voting Delegate means a Voting Delegate who is not personally present at the National Assembly, whether the meeting is held in person or by electronic means.

Assembly or National Assembly means a meeting of Delegates representing the Dene Communities and Territories of the Dene Nation, and Annual Assembly means the required annual meeting of Delegates.

CEO means the Chief Executive Officer of the Dene Nation who is responsible for the management, administration and delivery of programs, services and projects, under the direction of the Executive and the National Chief.

Consensus means general agreement on a resolution or decision that takes into account and reconciles the views of all or most in a decision-making process and requires striving to continue discussions until Consensus is reached, but does not necessarily mean unanimity.

Dene Citizen means a person descended from the original people of a Dene Territory, Dene Community or Independent Dene Community and/or defined as a citizen or member by their respective Dene Community.

Dene Community means a community which has historic and ongoing links to the original peoples of Denendeh, whether or not that Community has a reserve.

Dene Laws means the traditional laws of the Dene, whether oral or written.

Dene Nation means the Dene, the original people of Denendeh.

Dene Nation corporation means the incorporated political organization created to represent the interests of the Dene Nation.

Dene Nation Institutions means structures and organizations created to achieve Dene common objectives, including the Dene Nation corporation, Dene Cultural Institute, the Native Communications Society and the Denendeh Development Corporation.

Dene National Chief means the Dene Citizen elected or chosen at a Dene National Assembly to act as spokesperson of the Dene Nation and chair of the Executive, in accordance with the Constitution and by-laws of the Dene Nation.

Dene Territory means the same as "Dene Regions,"-and includes the Gwich'in, Sahtú, Dehcho, Tłı̨chǫ and Akaitcho Territories. The Dene Territories include the following Dene Communities:

Gwich'in: Inuvik, Aklavik, Tsiigehtchic, and Teetł'it Zheh (Fort McPherson)

Sahtú: K'áhbamítúé (Colville Lake), Tulít'a, Rádeyı̨lı̨kóé (Fort Good Hope), and Délı̨nę

Dehcho: Acho Dene Koe (Ft. Liard); Deh Gáh Got'iê First Nation (Fort Providence); Jean Marie River First Nation; Ka'a'gee Tu First Nation (Kakisa); Łíídlı́ı́ Kúę́ First Nation (Fort Simpson); Nahanni Butte Dene Band; Pehdzeh Ki First Nation (Wrigley); Sambaa K'e First Nation (Trout Lake); West Point First Nation.

Tłı̨chǫ: Behchokǫ̀ (Rae-Edzo), Whatì (Lac La Martre), Gamètì-(Rae Lakes), and Wekweètì (Snare Lake)

Akaitcho: Deninu Kųę (Fort Resolution), Łutsël K'é, Smiths Landing (Fort Fitzgerald), Dettah, Ndilǫ and Tadoule Lake (Manitoba).

Dene Elders Council (DEC) means a body comprised of individuals who have gained recognition as custodians of knowledge, and selected in accordance with the Constitution of the Dene Nation.

Director means a voting member of the Executive and Board of Directors means the Executive Committee.

Financial Statement means a financial statement prepared in accordance with generally accepted accounting principles and shall include a statement of financial position or a balance sheet; a statement of comprehensive income or a statement of retained earnings; a statement of any changes in equity or an income statement; and statement of cash flows or a statement of changes in financial position.

Independent Dene Communities means a Dene community which is not affiliated with one of the five Territorial Dene Member Governments referred to in the Constitution. The following are the currently recognized Independent Dene Communities:

Salt River First Nation

Dene Tha' First Nation

Athabasca Chipewyan First Nation

Kátł'odeeche (Hay River Reserve)

Land includes both surface and sub-surface resources.

Leadership means The National Chief, plus the Chiefs of Dene Communities, Grand Chiefs and representatives of the Dene Elders Council.

Members means the Dene Territories, and the Independent Dene Communities.

National Assembly means a meeting of delegates representing the Dene Communities, and may be held in person or by electronic means.

Officers means those persons appointed by the Executive to hold certain positions, including Secretary and Treasurer.

Present in person means either physically present in the venue where a meeting is taking place or present through alternative means where a meeting is taking place electronically or by teleconference.

Proxy means a Voting Delegate authorized by an Absentee Voting Delegate to cast a vote on their behalf in accordance with their direction.

Resolution means the same as motion and draft resolution means the same as draft motion.

Special Assembly means an Assembly called for a particular purpose as determined by the

Executive, Leadership or National Assembly, such as for the amendment of the Constitution.

Special Resolution means a resolution which requires a vote of at least 75% of Voting Delegates voting in favour at a National Assembly.

Voting Delegate means a Dene Citizen chosen by their respective Dene Community or Dene Territory to attend and vote at a National Assembly.

Youth means Dene between the ages of fourteen (14) and twenty four (24).

2.0 MEMBERSHIP OF THE DENE NATION

2.1 The Members of the Dene Nation are the Dene Territories and the Independent Dene Communities.

2.2 New Members shall be added by resolution of the National Assembly.

2.3 A Member may withdraw by notice in writing given to the Executive and the withdrawal shall take effect thirty (30) days thereafter.

2.4 Reinstatement of a Member shall occur by resolution of the National Assembly.

3.0 ASSEMBLIES

3.1 The Annual National Assembly of the Dene Nation shall be held each year at a time and place to be fixed by resolution of the previous Annual Assembly, or by the Executive if the previous Assembly did not decide. The Annual Assembly may be held in person or by electronic means.

3.2 No Assembly shall occur without giving at least thirty (30) days' notice of the time and place of the meeting and a proposed Agenda to all Dene Territories and Dene Communities.

3.3 Notice of meetings shall be sent by the CEO and shall include draft resolutions to be considered at the Assembly, and notice shall be sufficient if delivered in writing or by

email or other electronic means to the administrations of each Member Territory and each Dene Community. Draft resolutions must include a mover and seconder who will be Voting Delegates at the Assembly.

3.4 Special National Assemblies may be called by resolution of the National Assembly or by resolution of the Executive or Leadership.

3.5 Any Assembly may strike committees to inquire into any matter of interest to the Assembly or to carry out functions designated by the Assembly on such terms as may be established by the Assembly.

3.6 In addition to any other Committees it may strike, each Assembly shall strike a Resolutions Committee comprised of six Dene Citizens, including a minimum of three (3) from the Leadership, which shall implement the **Resolutions Policy** established by the Dene Nation for the orderly submission of draft resolutions.

Quorum

3.7 Quorum to open any Dene National Assembly or make resolutions thereat shall be formed when 30% of the possible Voting Delegates, representing at least three (3) Dene Regions, calculated thirty (30) days prior to the date of the National Assembly have registered and are either personally present or represented by Proxy at the meeting.

Resolutions and Decision Making at Assemblies

3.8 Subject to 3.9, draft resolutions to be considered at an Assembly must comply with the Resolutions Policy and be submitted to the CEO at least 45 days before the first day of the Assembly. Draft resolutions to amend the Constitution or By-law must be submitted to the CEO at least 75 days in advance of the Assembly. The CEO will ensure that all members of the Executive receive copies of all draft resolutions which comply with the Resolutions Policy.

3.9 The Resolutions Committee has discretion to allow resolutions which do not comply with 3.8, such as resolutions of an urgent nature, or which relate to issues that arose during the 45 day period before the start of an Assembly, but all such resolutions must be submitted to the Committee at least 48 hours before they are considered by the Assembly. Draft resolutions which do not comply with 3.8 or this section may only be considered if the Assembly unanimously decides to waive the requirements of this By-law and the

Resolutions Policy.

3.10 Draft resolutions which would amend the Constitution or By-laws of the Dene Nation must be sent to all Members at least 60 days before the start of an Assembly.

3.11 Resolutions may be passed by Consensus or by voting. The Chairperson may declare when Consensus has been reached on a resolution or other matter under discussion.

3.12 Subject to 3.11, 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 favour of the resolution.

3.13 A Special Resolution to amend the Constitution or 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 an Assembly vote in favour of the resolution.

3.14 Unless a show of hands or a ballot, or other form of vote by electronic means is demanded by at least one (1) Voting Delegate, the Chairperson may declare a resolution to have been passed or defeated.

3.15 A declaration by the Chairperson that a resolution is passed, followed by an entry to that effect in the Minute Book of the Dene Nation, shall be conclusive proof of that fact.

3.16 In the case of an inconclusive vote the Chairperson may:

(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;

Failing the passage of such amended resolution(s) or a decision by second vote, the Chairperson shall declare the resolution defeated.

3.17 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.

Calculating Voting Delegates

3.18 Each Dene Community is entitled to be represented at a National Assembly by three Voting Delegates who are entitled to one vote each. In addition, 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.

3.19 In addition to the delegates in 3.18 the Chief of every Dene Community is a Voting Delegate.

3.20 In addition to 3.18 and 3.19 the Grand Chief of each Dene Territory is a Voting Delegate. Dene Territories which do not have a Grand Chief may appoint any one of their leaders to be a Voting Delegate under this section, as if he or she was a Grand Chief.

3.21 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 Executive, in such manner and at such times as the Executive may require.

3.22 For Dene Territories in which a government has been recognized under the terms of a Comprehensive Land Claim or Self-Government Agreement, articles 3.18, 3.19 and 3.20 do not apply. Instead, in Dene Territories in which a government has been recognized 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 three Voting Delegates from each Dene Community who are entitled to one vote each.

3.23 In addition to 3.22, where a Dene Community referred to in 3.22 has more than one hundred (100) Dene Citizens, the Territory shall have one additional Voting Delegate for every additional Fifty-One (51) to one hundred (100) Dene Citizens in that community.

3.23 Subject to the Dene Nation Constitution, the selection of the Voting Delegates shall be determined by each Dene Community or Region in its absolute discretion.

Proxy Voting

3.24 An Absent Voting Delegate is entitled to have his or her vote cast by another Voting Delegate, by Proxy.

3.25 A Proxy shall be authorized by the Absent Voting Delegate to vote on behalf of that Absent Voting Delegate, failing which a Proxy may be authorized by his or her Dene Territory or Dene Community, as the case may be.

3.26 No Voting Delegate and no member of the Executive shall be Proxy for more than one Absent Voter.

Reporting on Resolutions

3.27 The National Chief and CEO of the Dene Nation shall report to each Assembly on the steps taken to implement resolutions adopted by the previous Assembly.

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 4.9 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.

5.0 EXECUTIVE

5.1 The Executive shall meet at least four times per year 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 request. For the purpose of such meetings, four (4) voting members of the Executive shall constitute a quorum for the conduct of business of the Executive.

5.2 At least 30 days notice of meetings of the Executive shall be given to each member of the Executive and notice will include a proposed agenda, together with draft resolutions to be considered at the meeting and any other relevant information. The By-law provisions dealing with teleconference and electronic meetings of the Leadership also apply to meetings of the Executive. The Executive may agree to waive the notice requirements.

5.3 The Executive shall provide quarterly financial reports to the Leadership.

5.4 The Executive shall ensure the preparation of an audited Financial Statement from the Dene Nation's auditors for presentation at the Annual Assembly.

5.5 The Executive will approve annual budgets for the Dene Nation.

5.6 The Executive shall appoint Officers to conduct the business of the Dene Nation, including Officers to:

(a) have custody and control of the official seal of the Dene Nation which is to be applied to documents according to Dene Nation by-laws and policies;

(b) keep such complete books and records of accounts of the Dene Nation as may be required to demonstrate its financial status to the Executive or any other person authorized by these By-Laws to inspect said books and records; and

(c) act as the Resolutions Committee unless the National Assembly appoints other individuals to the Committee.

5.7 The Executive shall, by resolution, authorize its Officers to execute financial and legal documents, including cheques, subject to by-laws and policies of the Dene Nation as approved from time to time by the Executive.

5.8 The members of the Executive will not be liable for their acts or omissions made in good faith and the Dene Nation will indemnify members of the Executive and will provide the Executive members with director's liability insurance.

5.9 The Executive shall by resolution determine the salary of the National Chief based on a fair and appropriate wage scale.

Financial Matters

5.10 The Executive may, by resolution, 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.

5.11 The Executive may by resolution, authorize that the assets and property of the Dene Nation be sold, mortgaged, pledged, or otherwise given as security or exchange for the purpose of raising monies or borrowing funds from a recognized financial institution.

5.12 Any such 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.

5.13 The Executive will adopt and enforce a spending policy which will include reasonable controls over the expenditure of Dene Nation funds, including the requirement for tiered spending level approvals.

6.0 THE DENE NATIONAL CHIEF

6.1 The Dene National Chief shall fulfill all duties in accordance with the Constitution and By-laws, Assembly resolutions and Dene Nation policies and procedures.

6.2 The Dene National Chief shall take an oath of office upon being elected or acclaimed and before performing any act in an official capacity. The oath of office shall be approved by and be administered before the National Assembly.

6.3 The Dene National Chief reports to the National Assembly and Leadership.

6.4 The Dene National Chief is the chairperson of the Executive.

6.5 If the Dene National Chief is incapacitated or otherwise unable to discharge the duties and functions of office for any period longer than thirty (30) days, the Leadership may appoint a spokesperson from amongst themselves in place of the Dene National Chief until:

(a) the Dene National Chief is able to resume official duties and functions; or

(b) another Dene National Chief is elected by the National Assembly.

Suspension of the Powers of the Dene National Chief

6.6 The Leadership may suspend the powers, functions, and duties of the Dene National Chief by a resolution at a Leadership meeting.

6.7 Upon suspension of a Dene National Chief by resolution, the Leadership shall appoint an interim National Chief by resolution who shall hold office until the suspension is rescinded by the Leadership or the National Assembly or until a new National Chief is elected.

6.8 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.

6.9 At a meeting of the National Assembly, the Assembly may, by Consensus or resolution:

(i) rescind the suspension and restore the Dene National Chief to office;

(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.

Removal of Dene National Chief

6.10 The Dene National Chief shall not be removed from office except by a resolution of the National Assembly.

6.11 Notice of a resolution to remove the Dene National Chief shall be given to all Dene Communities no less than thirty (30) days before a meeting of the National Assembly called for that purpose.

6.12 Subject to 6.11, notice shall be given in accordance with articles 3.2 and 3.3 of the By-Laws and the Notice shall include the resolution and the grounds upon which the removal of the Dene National Chief is requested.

6.13 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.

6.14 An interim Dene National Chief shall take the prescribed Oath of Office before a member of the Executive and before performing any act in an official capacity.

7.0 CHIEF EXECUTIVE OFFICER (CEO)

7.1 The CEO will be appointed by and accountable to the Executive. Subject to the overriding authority of the Executive, the CEO is also accountable to the Dene National Chief on a day-to-day basis.

7.2 The CEO shall perform the following functions and duties:

(a) work on a day-to-day basis with the Dene National Chief to ensure the sound operations of the Dene Nation and the implementation of the resolutions of the National Assembly, Leadership and Executive Committee;

(b) develop for the approval of the Executive Committee, and implement upon approval, clear and concise written operational policies and procedures including for:

(i) the hiring and termination of employees, the payment of wages, salaries, and benefits, including for the National Chief;

(ii) the contracting of services to the Dene Nation;

(iii) conflicts of interest;

(iv) ensuring a safe and healthy work environment; and

(v) for the inspection of records;

(c) ensure that timely and informative notices of Assemblies, Leadership and Executive Committee meetings are sent, including draft resolutions to be considered at those meetings where appropriate or required;

(d) develop a draft strategic plan for the Executive Committee to consider;

(e) manage the financial affairs of the Dene Nation, including developing draft annual budgets for approval of the Executive Committee;

(f) manage the employees, contractors, administration and operations of the Dene Nation; and

(g) such other duties as may be set out in the CEO's contract of employment or may be assigned from time to time.

8.0 DENE ELDERS COUNCIL (DEC), DENE WOMEN'S ADVISORY COUNCIL (DWAC) and DENE YOUTH COUNCIL (DYC)

8.1 Members of the DEC, DWAC and DYC are subject to the Dene Nation's policies, guidelines and procedures.

8.2 The Executive, in consultation with representatives of Dene Elders, women and youth, will develop and implement terms of reference for the operation of the DEC, DWAC and DYC.

9.0 INSPECTION OF RECORDS

9.1 Subject to legal requirements and reasonable limitations, including limitations respecting the privacy of personal information, the books and records of the Dene Nation shall be open to inspection by a Dene Citizen at the head office or branch office of the Dene Nation upon written request made to the CEO.

9.2 The said inspection shall be conducted at such time(s) as the CEO and the Dene Citizen may agree. Failing agreement, the CEO shall fix a date and time for inspection.

9.3 The CEO shall monitor any inspection of records to ensure the integrity of the records is maintained.

10.0 YEARLY FINANCIAL STATEMENTS

10.1 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.

10.2 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 National Assembly, whether the Assembly is held in person or by electronic means, at which time the Financial Statement shall be approved by Consensus or by vote.

10.3 The approved Financial Statement shall be filed with the Registrar of Societies within fourteen (14) days after the Annual National Assembly.

10.4 Along with the said Financial Statement, a list of the current Directors and Officers of the Dene Nation shall be filed with the Registrar of Societies.

10.5 The fiscal year end of the Dene Nation shall be March 31.

11.0 HEAD OFFICE AND BRANCH OFFICES

11.1 The head office of the Dene Nation will be located on a Reserve, with a branch office located in Yellowknife.

11.2 Other branch offices of the Dene Nation may be established by resolution of the Annual Assembly.

12.0 AMENDMENTS

12.1 This By-law may only be altered or rescinded by a resolution passed at a National Assembly.

DENE NATION
CONSTITUTION

We the Dene,

a. are given the sacred spiritual responsibility by the Creator to take care of and live in harmony with Denendeh and each other as stewards of the land, water, air and animals;

b. have, since time immemorial, been inseparable from, lived on, occupied, used, shared, governed and defended land in and adjacent to Denendeh;

c. respect the laws of nature and recognize our responsibility to Protect and preserve the land for our children and grandchildren;

d. possess inherent rights to self-determination as distinct peoples;

e. recognize that we live in separate, self-governing Territories while maintaining our unity as one Dene Nation;

f. have oral peace and friendship Treaties amongst ourselves and with other Indigenous Nations;

g. have peace and friendship Treaties and modern land and self-government agreements with the Crown;

h. recognize the equality of all persons and all living things, including the land and water;

i. recognize the continuing need to uphold, facilitate, coordinate, and assist in the implementation of Dene rights and responsibilities, including our duty to share the benefits of our resources in accordance with Dene laws and customs;

j. recognize the continuing importance of the 1975 Dene Declaration as a founding document of Dene unity which affirms Dene nationhood;

k. look to the United Nations Declaration on the Rights of Indigenous Peoples as a guide towards establishing mutually respectful relationships, including between Dene and the Crown;

l. recognize the continuing importance of the traditional Dene values and principles outlined in the Appendix to this Constitution; and

m. have created Dene Nation Institutions to accomplish the objectives of the Dene.

1. OBJECTIVES

The objectives of the Dene Nation are to:

a. promote the unity of our Dene Governments;

b. respect the jurisdiction and authority of each Dene Government and the authority of each to speak for themselves;

c. defend Dene jurisdiction and sovereignty over Dene lands;

d. support the sovereignty of the Dene by fostering, developing and implementing programs and services, legislation and policies for the political, economic, social, educational, health, spiritual and cultural self-determination of the Dene;

e. foster a more equal and just Dene society through striving to eliminate inequalities and injustices, including those brought by colonialism and the *Indian Act*, by returning to Dene traditions;

f. support initiatives to ensure that our historic and modern Treaties are fully honoured and implemented;

g. co-ordinate relations between the Dene, our Governments and Dene Nation Institutions and other Indigenous Nations to promote collective advancement; and

h. work in partnership with Dene, our governments and Dene Nation Institutions, when requested or required to:

i) promote, defend and practise Treaty and other rights, title and interests of the Dene;

ii) promote, defend and practise Dene self-determination, laws, language, culture, ceremonies and customs; or

iii) support the voices of the Dene, our governments and Dene Nation Institutions by advocating for their interests.

2.0 DEFINITIONS

2.1 Words and phrases in this Constitution have the same meaning as those defined in the Organizational By-law of the Dene Nation.

3.0 MEMBERSHIP OF THE DENE NATION

3.1 The Members of the Dene Nation are the five Dene Territories or Regions, namely the Gwich'in, Sahtú, Dehcho Territory Government, Tłı̨chǫ Government and Akaitcho Territorial Government.

3.2 In addition to the five Dene Territories or Regions, Dene Communities which are not affiliated with any of the five Regions or Territories, known as Independent Dene Communities, are Members of the Dene Nation.

3.3 Each Dene Community and Dene Territory or Region will determine and administer its own membership, including who is a "Citizen" for the purposes of their respective Territories, Regions and communities.

4.0 THE DENE NATIONAL ASSEMBLY

4.1 The highest decision making body for the Dene Nation is the Dene National Assembly. All resolutions of the National Assembly are binding on the Dene Nation, including the Dene National Chief and Executive.

4.2 The Dene Nation shall have an annual National Assembly and may as required have a Special National Assembly, whereby Dene Citizens, Dene Communities and the Leadership meet to hold discussions, have consultations, and make resolutions. The National Assembly may be conducted in person or by alternate method such as by electronic or other means. The Executive shall approve the date, time, rules and method of holding a National Assembly when the Assembly is held by electronic or other alternative means.

4.3 Subject to the rules of the National Assembly, all Dene Citizens who identify themselves as members of a Dene Community are entitled to participate in any National Assembly and to voice their opinions on any issue under discussion, but the rights to move and vote on resolutions are reserved for Voting Delegates representing Dene Communities.

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.

6.0 THE EXECUTIVE

6.1 The Executive of the Dene Nation shall consist of the National Chief, the Grand Chief or other Chief designated by each Dene Territory, one representative from the Independent Dene Communities, an Elder chosen by the Elders Council, a representative of the Women's Advisory Council, and a representative of the Youth Council. The Elder, Women's Advisory Council and Youth representatives shall be non-voting members.

6.2 The Executive shall appoint a Treasurer and Secretary from amongst themselves. The Treasurer, together with the CEO, shall be responsible for, and shall report to the Executive on, the oversight and management of the financial affairs of the Dene Nation. The Secretary, together with the CEO, shall be responsible for record keeping, including the minutes of meetings of the Executive, Leadership and the National Assembly.

6.3 The members of the Executive shall be *ex officio* members of all committees of the Dene Nation, including a Resolutions Committee that administers the Resolutions Policies used at the National Assembly and Leadership meetings.

6.4 The Executive shall be the Board of Directors of the Dene Nation Corporation.

6.5 The Executive shall be responsible for:

(a) implementing the direction of the National Assembly and the Leadership;

(b) developing and approving the Dene Nation budgets;

(c) developing and approving Dene Nation policies and procedures;

(d) ensuring compliance with all corporate and legal requirements; and

(e) hiring and termination, and setting the remuneration of the Chief Executive Officer of the Dene Nation.

6.6 The Executive may delegate any of its' functions and responsibilities, other than

those in respect of which applicable legislation prohibits delegation.

7.0 DENE ELDERS COUNCIL (DEC)

7.1 Each Dene Territory will appoint an Elder and an Alternate Elder to the DEC, for a term of two years, with the appointments striving to reflect gender balance and different communities. The Independent Dene Communities will also appoint an Elder and an Alternate to the DEC on their behalf. The Alternate Elders will only attend DEC meetings when the Elders for whom they are appointed as Alternates cannot attend.

7.2 If a Dene Territory does not appoint an Elder or Alternate Elder, the National Chief may appoint an Elder from that Territory to serve on the DEC until the Territory appoints their Elder.

7.3 The DEC will provide guidance and recommendations to the Executive Committee and participate in Assemblies and Executive Committee meetings in an advisory capacity. The Elders will in particular give advice related to the principles outlined in the preamble of this Constitution.

7.4 The Dene National Chief shall appoint one Resident Dene Elder, and one Alternate Resident Dene Elder to act in the absence of the Resident Dene Elder, for his/her term in office. The Resident Dene Elder will provide advice in order to assist, guide and support the Dene National Chief during his or her term in office.

7.5 The Resident Elder shall Chair the DEC and liaise between the DEC and staff to carry out necessary tasks consistent with direction from DEC.

8.0 DENE YOUTH COUNCIL

8.1 The Youth of each Dene Territory will choose a Youth delegate and an alternate, from different Dene Communities, with appointments reflecting gender balance, to the Dene Youth Council. The Youth of the Independent Dene Communities will also appoint a Youth delegate and an alternate to the DYC. The delegates and their alternates will serve terms of one year and the alternates will only attend DYC meetings when the Youth for whom they are appointed as alternates cannot attend.

8.2 If the Youth of a Dene Territory do not have the capacity to collectively choose Youth

delegates to represent them, the Grand Chief of that Territory may appoint Youth from that Territory to serve on the DYC until the Territory's Youth choose their own representatives.

8.3 The DYC will provide guidance and recommendations to the Leadership, Executive Committee and Dene National Chief, and will participate in Assemblies and Leadership and Executive Committee meetings in an advisory capacity.

9.0 DENE WOMEN'S ADVISORY COUNCIL (DWAC)

9.1 The women of each Dene Territory will appoint a delegate and an alternate, from two different Dene Communities, to the Dene Women's Advisory Council. The women of the Independent Dene Communities will also appoint a delegate and an alternate to the DWAC. The delegates and their alternates will serve terms of four years and the alternates will only attend DWAC meetings when the delegates for whom they are appointed as alternates cannot attend.

9.2 If the women of a Dene Territory do not have the capacity to collectively choose a delegate and alternate to represent them, the Grand Chief of that Territory may appoint a Dene woman from that Territory to serve on the DWAC until the Territory's women choose their own representatives.

9.3 The DWAC will provide guidance and recommendations to the Leadership, Executive Committee and Dene National Chief, and will participate in Assemblies and Leadership and Executive Committee meetings in an advisory capacity.

10.0 THE ROLE OF THE DENE NATIONAL CHIEF

10.1 The Dene National Chief shall be the spokesperson of the Dene Nation in relation to issues of common concern to the Dene, including on national and international issues.

10.2 The National Chief is responsible for achieving the objectives of the Dene Nation, including by:

(a) alerting the Dene Governments and Dene National Institutions to potential issues of common concern;

(b) organizing, promoting, and facilitating, according to Dene law, custom and tradition, discussion among and decision-making by the Dene, our governments and Dene Nation Institutions;

(c) ensuring the Dene Nation offices are accessible and responsive to all Dene Citizens;

(d) regularly reporting to the National Assembly, Leadership and Executive including reporting to each Assembly on the steps taken to implement resolutions adopted by the previous Assembly;

(e) recommending Chairpersons for meetings and committees;

(f) performing the operational and administrative functions necessary to oversee the daily business of the office of the Dene National Chief; and

(g) subject to the direction of the Executive, providing general direction to the CEO in the CEO's discharge of his/her functions and duties.

10.3 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.

10.4 The office of the Dene National Chief will assist in resolving issues as requested or required by Dene Citizens, Dene Communities, Dene Territories or the Leadership, but must remain neutral and impartial when dealing with internal Dene Territory or Dene Community disputes.

11.0 ELECTION OF THE DENE NATIONAL CHIEF

11.1 A person nominated for the position of the Dene National Chief must be a Dene Citizen at least 30 years of age at the time of the election, must not be indebted to the Dene Nation pursuant to a judgement, and must submit a criminal record check for the previous five years.

11.2 The Executive shall appoint an Election Committee of the National Assembly to coordinate and conduct the election for the Dene National Chief.

11.3 The Dene National Chief shall be elected or acclaimed by the Voting Delegates at the National Assembly, or selected according to Dene law, custom and tradition, and shall serve for a period of four (4) years, and the term may be extended for up to six (6) months by the Executive if the Assembly at which the election is due cannot be held on time. The part of this clause extending the term of the National Chief to four (4) years will take effect after the end of the National Chief's three year term in 2021.

11.4 The Dene National Chief will primarily reside in Yellowknife during his / her term and must be a resident of the NWT during at least two of the past three years before the election.

12.0 SUSPENSION OF THE POWERS OF THE DENE NATIONALCHIEF

12.1 The powers, functions, and duties of the Dene National Chief may be suspended as set out in the By-laws.

13.0 REMOVAL OF THE DENE NATIONAL CHIEF

13.1 The National Chief may be removed from office by the National Assembly as set out in the By-laws.

14.0 RESIGNATION OF THE DENE NATIONALCHIEF

14.1 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.

15.0 AMENDING THIS CONSTITUTION

15.1 The Constitution of the Dene Nation shall not be altered, varied, or rescinded in whole or in part except by a Special Resolution as set out in the By-laws.

15.2 The Notice required in the By-laws shall be sufficient for the purpose of amending the Constitution.

16.0 INTERPRETATION OF THE CONSTITUTION AND BY-LAWS

16.1 Nothing in the Constitution or By-Laws of the Dene Nation shall be interpreted in a way that interferes with or may have any adverse effects upon the Treaty or Aboriginal Rights, title and interests of Dene Citizens, Dene Territories, or Dene Communities.

16.2 In situations where this Constitution or the By-laws are silent, the Dene Nation shall be governed by Dene Laws, traditions and customs.

Dene National Assembly

Resolution # 1

Re: Constitutional Reform - Preamble, Definitions and Objectives

Whereas the Dene National Chief was elected on a mandate to promote and defend the unity of the Dene Nation, in part by reforming 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 has conducted consultations with Dene leaders and communities while developing a proposed new Constitution and By-law for the Dene Nation; and

Whereas the provisions of the proposed new 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 preamble, Objectives and Mission Statement of the existing By-law are hereby repealed:

> **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 …uphold, facilitate, coordinate, and assist in the implementation of our individual rights, collective rights…

The OBJECTS 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.

MISSION STATEMENT:

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

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

We the Dene,

a. are given the sacred spiritual responsibility by the Creator to take care of and live in harmony with Denendeh and each other as stewards of the Land, water, air and animals;

b. have, since time immemorial, been inseparable from, lived on, occupied, used, shared, governed and defended Land in and adjacent to Denendeh;

c. respect the laws of nature and recognize our responsibility to Protect and preserve the Land for our children and grandchildren;

d. possess inherent rights to self-determination as distinct peoples;

e. recognize that we live in separate, self-governing Territories while maintaining our unity as one Dene Nation;

f. have oral peace and friendship Treaties amongst ourselves and with other Indigenous Nations;

g. have peace and friendship Treaties and modern Land and self-government agreements with the Crown;

h. recognize the equality of all persons and all living things, including the Land, air and water;

i. recognize the continuing need to uphold, facilitate, coordinate, and assist in the implementation of Dene rights and responsibilities, including our duty to share the benefits of our resources in accordance with Dene laws and customs;

j. recognize the continuing importance of the 1975 Dene Declaration as a founding document of Dene unity which affirms Dene nationhood;

k. look to the United Nations Declaration on the Rights of Indigenous Peoples as a guide towards establishing mutually respectful relationships, including between Dene and the Crown;

l. recognize the continuing importance of the traditional Dene values and principles outlined in the Appendix to this Constitution;

m. declare that the Dene Nation shall remain at all times an instrument to advance the aspirations of Dene Regions and Dene Communities and shall not become greater in strength, power, resources or jurisdiction than the Regions and Communities for which it was established to serve; and

n. have created Dene Nation Institutions to accomplish the objectives of the Dene.

1. OBJECTIVES

The objectives of the Dene Nation are to:

a. promote the unity of our Dene Governments;

b. respect the jurisdiction and authority of each Dene Government and the authority of each to speak for themselves;

c. provide a forum in which Dene Regional and Community governments can unite to address issues of common concern;

d. defend Dene jurisdiction and sovereignty over Dene Lands;

e. support the sovereignty of the Dene by fostering, developing and implementing programs and services, legislation and policies for the political, economic, social, educational, health, spiritual and cultural self-determination of the Dene;

f. foster a more equal and just Dene society through striving to eliminate inequalities and injustices, including those brought by colonialism and the *Indian Act*, by returning to Dene traditions;

g. support initiatives to ensure that our historic and modern Treaties are fully honoured and implemented;

h. co-ordinate relations between the Dene, our Governments and Dene Nation Institutions and other Indigenous Nations to promote collective advancement; and

i. work in partnership with Dene, our governments and Dene Nation Institutions, when requested or required to:

    i) promote, defend and practise Treaty and other rights, title and interests of the Dene;

ii) promote, defend and practise Dene self-determination, laws, language, culture, ceremonies and customs; or

iii) support the voices of the Dene, our governments and Dene Nation Institutions by advocating for their interests.

2.0 DEFINITIONS

2.1 Words and phrases in this Constitution have the same meaning as those defined in the Organizational By-law of the Dene Nation.

3. And the following provisions of the proposed new Organizational By-law are hereby approved:

Subject to the Constitution of the Dene Nation, this By-Law governs the organization and functioning of the Dene Nation.

1.0 DEFINITIONS

Absentee Voting Delegate means a Voting Delegate who is not personally present at the National Assembly, whether the meeting is held in person or by electronic means.

Annual Assembly or National Assembly means a meeting of Delegates representing the Dene Communities and Territories of the Dene Nation and Annual Assembly means the required annual meeting of Delegates.

CEO means the Chief Executive Officer of the Dene Nation who is responsible for the management, administration and delivery of programs, services and projects, under the direction of the Executive and the National Chief.

Consensus means general agreement on a resolution or decision that takes into account and reconciles the views of all or most in a decision-making process and requires striving to continue discussions until Consensus is reached, but does not necessarily mean unanimity.

Dene Citizen means a person descended from the original people of a Dene Territory, Dene

Community or Independent Dene Community and/or defined as a citizen or member by their respective Dene Community.

Dene Community means a community which has historic and ongoing links to the original peoples of Denendeh, whether or not that Community has a reserve.

Dene Laws means the traditional laws of the Dene, whether oral or written.

Dene Nation means the Dene, the original people of Denendeh.

Dene Nation corporation means the incorporated political organization created to represent the interests of the Dene Nation.

Dene Nation Institutions means structures and organizations created to achieve Dene common objectives, including the Dene Nation corporation, Dene Cultural Institute, the Native Communications Society and the Denendeh Development Corporation.

Dene National Chief means the Dene Citizen elected or chosen at a Dene National Assembly to act as spokesperson of the Dene Nation and chair of the Executive, in accordance with the Constitution and by-laws of the Dene Nation.

Dene Territory means the same as "Dene Regions,"-and includes the Gwich'in, Sahtú, Dehcho, Tłı̨chǫ and Akaitcho Territories. The Dene Territories include the following Dene Communities:

Gwich'in: Inuvik, Aklavik, Tsiigehtchic, and Teetł'it Zheh (Fort McPherson)

Sahtú: K'áhbamítúé (Colville Lake), Tulít'a, Rádeyı̨lı̨kóé (Fort Good Hope), and Délı̨nę

Dehcho: Acho Dene Koe (Ft. Liard); Deh Gáh Got'iê First Nation (Fort Providence); Jean Marie River First Nation; Ka'a'gee Tu First Nation (Kakisa); Łíídlı́ı́ Kúé First Nation (Fort Simpson); Nahanni Butte Dene Band; Pehdzeh Ki First Nation (Wrigley); Sambaa K'e First Nation (Trout Lake); West Point First Nation.

Tłı̨chǫ: Behchokǫ̀ (Rae-Edzo), Whatì (Lac La Martre), Gamètì-(Rae Lakes), and Wekweètì (Snare Lake)

Akaitcho: Deninu Kųę (Fort Resolution), Łutsël K'é, Smiths Landing (Fort Fitzgerald), Dettah, Ndilǫ and Tadoule Lake (Manitoba).

Dene Elders Council (DEC) means a body comprised of individuals who have gained recognition as custodians of knowledge, and selected in accordance with the Constitution of the Dene Nation.

Director means a voting member of the Executive and Board of Directors means the Executive Committee.

Financial Statement means a financial statement prepared in accordance with generally accepted accounting principles and shall include a statement of financial position or a balance sheet; a statement of comprehensive income or a statement of retained earnings; a statement of any changes in equity or an income statement; and statement of cash flows or a statement of changes in financial position.

Independent Dene Communities means a Dene community which is not affiliated with one of the five Territorial Dene Member Governments referred to in the Constitution. The following are the currently recognized Independent Dene Communities:

Salt River First Nation

Dene Tha' First Nation

Athabasca Chipewyan First Nation

Kátł'odeeche (Hay River Reserve)

Land includes both surface and sub-surface resources.

Leadership means The National Chief, plus the Chiefs of Dene Communities, Grand Chiefs and representatives of the Dene Elders Council.

Members means the Dene Territories, and the Independent Dene Communities.

National Assembly means a meeting of delegates representing the Dene Communities, and

may be held in person or by electronic means.

Officers means those persons appointed by the Executive to hold certain positions, including Secretary and Treasurer.

Present in person means either physically present in the venue where a meeting is taking place or present through alternative means where a meeting is taking place electronically or by teleconference.

Proxy means a Voting Delegate authorized by an Absentee Voting Delegate to cast a vote on their behalf in accordance with their direction.

Resolution means the same as motion and draft resolution means the same as draft motion.

Special Assembly means an Assembly called for a particular purpose as determined by the Executive, Leadership or National Assembly, such as for the amendment of the Constitution.

Special Resolution means a resolution which requires a vote of at least 75% of Voting Delegates voting in favour at a National Assembly.

Voting Delegate means a Dene Citizen chosen by their respective Dene Community or Dene Territory to attend and vote at a National Assembly.

Youth means Dene between the ages of fourteen (14) and twenty four (24).

Moved: **Chief Wanda Pascal**

Seconded: **John Norbert**

Date: **March 31, 2021, Inuvik**

Resolution of the Dene Nation Assembly

Resolution #2

Re: Constitutional Reform - Membership 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 a new Constitution and By-law for the Dene Nation; and

Whereas the provisions of the proposed new 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 Dene Nation By-law are hereby repealed:

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, Rádeyı̨lı̨kóé (Fort Good Hope), and Délı̨nę
De Cho Territory Government: Chi Ta Gotine (Tulít'a), Pedzéh Kı̨́ (Wrigley), Łíídlıı Kų̨ę Fort Simpson), Tthets'ek'ehdeli Koe (Jean Marie River), Zahti Koe (Fort Providence), Tthenáágó (Nahanni Butte), Echaot'ıe Kų̨ę (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)
Tłı̨chǫ Government: Behchokǫ̀ (Rae-Edzo), Whatì (Lac La Martre), Gamètì (Rae Lakes), and Wekweètì (Snare Lake)
Akaitcho Territory Government: Deninu K-ue (Fort Resolution), Salt River (Fort Smith), Łutsël K'é, Smiths Landing (Fort Fitzgerald), T'èʔehda (Dettah), Ndilǫ 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. In place of the repealed provisions, the following Membership provisions of the proposed new Constitution are hereby approved:

3.0 MEMBERSHIP OF THE DENE NATION

3.1 The Members of the Dene Nation are the five Dene Territories or Regions, namely the Gwich’in, Sahtú, Dehcho Territory Government, Tłı̨chǫ Government and Akaitcho Territorial Government.

3.2 In addition to the five Dene Territories or Regions, Dene Communities which are not affiliated with any of the five Regions or Territories, known as Independent Dene Communities, are Members of the Dene Nation.

3.3 Each Dene Community and Dene Territory or Region will determine and administer its own membership, including who is a “Citizen” for the purposes of their respective Territories, Regions and communities.

3. And in place of the repealed provisions, the following Membership provisions of the proposed new Organizational By-law are hereby approved:

2.0 MEMBERSHIP OF THE DENE NATION

2.1 The Members of the Dene Nation are the Dene Territories and the Independent Dene Communities.

2.2 New Members shall be added by resolution of the National Assembly.

2.3 A Member may withdraw by notice in writing given to the Executive and the withdrawal shall take effect thirty (30) days thereafter.

2.4 Reinstatement of a Member shall occur by resolution of the National Assembly.

Moved: **Chief Robert Charlie**

Seconded: **Chief Stanley Sanguez, JMR**

Date: **March 17, 2021, Yellowknife**

Resolution of the Dene Nation Assembly

Resolution #3

Re: Constitutional Reform - Assemblies

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:

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
© 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.

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

4.0 THE DENE NATIONAL ASSEMBLY

4.1 The highest decision making body for the Dene Nation is the Dene National Assembly. All resolutions of the National Assembly are binding on the Dene Nation, including the Dene National Chief and Executive.

4.2 The Dene Nation shall have an annual National Assembly and may as required have a Special National Assembly, whereby Dene Citizens, Dene Communities and the Leadership meet to hold discussions, have consultations, and make resolutions. The National Assembly may be conducted in person or by alternate method such as by electronic or other means. The Executive shall approve the date, time, rules and method of holding a National Assembly when the Assembly is held by electronic or other alternative means.

4.3 Subject to the rules of the National Assembly, all Dene Citizens who identify themselves as members of a Dene Community are entitled to participate in any National Assembly and to voice their opinions on any issue under discussion, but the rights to move and vote on resolutions are reserved for Voting Delegates representing Dene Communities.

3. And the following provisions of the proposed new Organizational By-law are hereby approved:

3.0 ASSEMBLIES

3.1 The Annual National Assembly of the Dene Nation shall be held each year at a time and place to be fixed by resolution of the previous Annual Assembly, or by the Executive if the previous Assembly did not decide. The Annual Assembly may be held in person or by electronic means.

3.2 No Assembly shall occur without giving at least thirty (30) days' notice of the time and place of the meeting and a proposed Agenda to all Dene Territories and Dene Communities.

3.3 Notice of meetings shall be sent by the CEO and shall include draft resolutions to be considered at the Assembly, and notice shall be sufficient if delivered in writing or by email or other electronic means to the administrations of each Member Territory and each Dene Community. Draft resolutions must include a mover and seconder who will be Voting Delegates at the Assembly.

3.4 Special National Assemblies may be called by resolution of the National Assembly or by resolution of the Executive or Leadership.

3.5 Any Assembly may strike committees to inquire into any matter of interest to the Assembly or to carry out functions designated by the Assembly on such terms as may be established by the Assembly.

3.6 In addition to any other Committees it may strike, each Assembly shall strike a Resolutions Committee comprised of six Dene Citizens, including a minimum of three (3) from the Leadership, which shall implement the **Resolutions Policy** established by the Dene Nation for the orderly submission of draft resolutions.

Quorum

3.7 Quorum to open any Dene National Assembly or make resolutions thereat shall be formed when 30% of the possible Voting Delegates, representing at least three (3) Dene Regions, calculated thirty (30) days prior to the date of the National Assembly have registered and are either personally present or represented by Proxy at the meeting.

Resolutions and Decision Making at Assemblies

3.8 Subject to 3.9, draft resolutions to be considered at an Assembly must comply with the Resolutions Policy and be submitted to the CEO at least 45 days before the first day of the Assembly. Draft resolutions to amend the Constitution or By-law must be submitted to the CEO at least 75 days in advance of the Assembly. The CEO will ensure that all members of the Executive receive copies of all draft resolutions which comply with the Resolutions Policy.

3.9 The Resolutions Committee has discretion to allow resolutions which do not comply with 3.8, such as resolutions of an urgent nature, or which relate to issues that arose during the 45 day period before the start of an Assembly, but all such resolutions

must be submitted to the Committee at least 48 hours before they are considered by the Assembly. Draft resolutions which do not comply with 3.8 or this section may only be considered if the Assembly unanimously decides to waive the requirements of this By-law and the Resolutions Policy.

3.10 Draft resolutions which would amend the Constitution or By-laws of the Dene Nation must be sent to all Members at least 60 days before the start of an Assembly.

3.11 Resolutions may be passed by consensus or by voting. The Chairperson may declare when consensus has been reached on a resolution or other matter under discussion.

3.12 Subject to 3.11, 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 favour of the resolution.

3.13 A Special Resolution to amend the Constitution or 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 an Assembly vote in favour of the resolution.

3.14 Unless a show of hands or a ballot, or other form of vote by electronic means is demanded by at least one (1) Voting Delegate, the Chairperson may declare a resolution to have been passed or defeated.

3.15 A declaration by the Chairperson that a resolution is passed, followed by an entry to that effect in the Minute Book of the Dene Nation, shall be conclusive proof of that fact.

3.16 In the case of an inconclusive vote the Chairperson may:

(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;

Failing the passage of such amended resolution(s) or a decision by second vote, the

Chairperson shall declare the resolution defeated.

3.17 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.

Calculating Voting Delegates

3.18 Each Dene Community is entitled to be represented at a National Assembly by three Voting Delegates who are entitled to one vote each. In addition, 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.

3.19 In addition to the delegates in 3.18 the Chief of every Dene Community is a Voting Delegate.

3.20 In addition to 3.18 and 3.19 the Grand Chief of each Dene Territory is a Voting Delegate. Dene Territories which do not have a Grand Chief may appoint any one of their leaders to be a Voting Delegate under this section, as if he or she was a Grand Chief.

3.21 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 Executive, in such manner and at such times as the Executive may require.

3.22 For Dene Territories in which a government has been recognized under the terms of a Comprehensive Land Claim or Self-Government Agreement, articles 3.18, 3.19 and 3.20 do not apply. Instead, in Dene Territories in which a government has been recognized 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 three Voting Delegates from each Dene Community who are entitled to one vote each.

3.23 In addition to 3.22, where a Dene Community referred to in 3.22 has more than one hundred (100) Dene Citizens, the Territory shall have one additional Voting Delegate

for every additional Fifty-One (51) to one hundred (100) Dene Citizens in that community.

3.23 Subject to the Dene Nation Constitution, the selection of the Voting Delegates shall be determined by each Dene Community or Region in its absolute discretion.

Proxy Voting

3.24 An Absent Voting Delegate is entitled to have his or her vote cast by another Voting Delegate, by Proxy.

3.25 A Proxy shall be authorized by the Absent Voting Delegate to vote on behalf of that Absent Voting Delegate, failing which a Proxy may be authorized by his or her Dene Territory or Dene Community, as the case may be.

3.26 No Voting Delegate and no member of the Executive shall be Proxy for more than one Absent Voter.

Reporting on Resolutions

3.27 The National Chief and CEO of the Dene Nation shall report to each Assembly on the steps taken to implement resolutions adopted by the previous Assembly.

Moved: **Chief Gerry Cheezie**

Seconded: **Chief Wanda Pascal**

Date: **April 15, 2021; Inuvik**

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**

Resolution of the Dene Nation Assembly

Resolution # 5

Re: Constitutional Reform - Executive 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:

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.

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.

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 conductive 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 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.

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

6.0 THE EXECUTIVE

6.1 The Executive of the Dene Nation shall consist of the National Chief, the Grand Chief or other Chief designated by each Dene Territory, one representative from the Independent Dene Communities, an Elder chosen by the Elders Council, a representative of the Women's Advisory Council, and a representative of the Youth Council. The Elder, Women's Advisory Council and Youth representatives shall be non-voting members.

6.2 The Executive shall appoint a Treasurer and Secretary from amongst themselves. The Treasurer, together with the CEO, shall be responsible for, and shall report to the Executive on, the oversight and management of the financial affairs of the Dene Nation. The Secretary, together with the CEO, shall be responsible for record keeping, including the minutes of meetings of the Executive, Leadership and the National Assembly.

6.3 The members of the Executive shall be *ex officio* members of all committees of the Dene Nation, including a Resolutions Committee that administers the Resolutions Policies used at the National Assembly and Leadership meetings.

6.4 The Executive shall be the Board of Directors of the Dene Nation Corporation.

6.5 The Executive shall be responsible for:

(a) implementing the direction of the National Assembly and the Leadership;

(b) developing and approving the Dene Nation budgets;

(c) developing and approving Dene Nation policies and procedures;

(d) ensuring compliance with all corporate and legal requirements; and

(e) hiring and termination, and setting the remuneration of the Chief Executive Officer of the Dene Nation.

6.6 The Executive may delegate any of its' functions and responsibilities, other than those in respect of which applicable legislation prohibits delegation.

3. And the following provisions of the amended Organizational By-law are hereby approved:

5.0 EXECUTIVE

5.1 The Executive shall meet at least four times per year 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 request. For the purpose of such meetings, four (4) voting members of the Executive shall constitute a quorum for the conduct of business of the Executive.

5.2 At least 30 days notice of meetings of the Executive shall be given to each member of the Executive and notice will include a proposed agenda, together with draft resolutions to be considered at the meeting and any other relevant information. The By-law provisions dealing with teleconference and electronic meetings of the Leadership also apply to meetings of the Executive. The Executive may agree to waive the notice requirements.

5.3 The Executive shall provide quarterly financial reports to the Leadership.

5.4 The Executive shall ensure the preparation of an audited financial statement from the Dene Nation's auditors for presentation at the Annual Assembly.

5.5 The Executive will approve annual budgets for the Dene Nation.

5.6 The Executive shall appoint Officers to conduct the business of the Dene Nation, including Officers to:

(a) have custody and control of the official seal of the Dene Nation which is to be applied to documents according to Dene Nation by-laws and policies;

(b) keep such complete books and records of accounts of the Dene Nation as may be required to demonstrate its financial status to the Executive or any other person authorized to inspect said books and records; and

(c) act as the Resolutions Committee unless the National Assembly appoints other individuals to the Committee.

5.7 The Executive shall, by resolution, authorize its Officers to execute financial and legal documents, including cheques, subject to by-laws and policies of the Dene Nation as approved from time to time by the Executive.

5.8 The members of the Executive will not be liable for their acts or omissions made in good faith and the Dene Nation will indemnify members of the Executive and will provide the Executive members with director's liability insurance.

5.9 The Executive shall by resolution determine the salary of the National Chief based on a fair and appropriate wage scale.

Financial Matters

5.10 The Executive may, by resolution, 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.

5.11 The Executive may by resolution, authorize that the assets and property of the Dene Nation be sold, mortgaged, pledged, or otherwise given as security or exchange for the purpose of raising monies or borrowing funds from a recognized financial institution.

5.12 Any such 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.

5.13 The Executive will adopt and enforce a spending policy which will include reasonable controls over the expenditure of Dene Nation funds, including the requirement for tiered spending level approvals.

Moved: **Chief Stanley Sanguez, JMR**

Seconded: **Chief Dolphus Jumbo, SK**

Date: **March 4, 2021, Ft. Simpson**

Resolution of the Dene National Assembly

Resolution # 6

Re: Constitutional Reform - Dene National Chief

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:

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.

4.32 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 lifted or a new National Chief elected.

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

10.0 THE ROLE OF THE DENE NATIONAL CHIEF

10.1 The Dene National Chief shall be the spokesperson of the Dene Nation in relation to issues of common concern to the Dene, including on national and international issues.

10.2 The National Chief is responsible for achieving the objectives of the Dene Nation, including by:

(a) alerting the Dene Governments and Dene National Institutions to potential issues of common concern;

(b) organizing, promoting, and facilitating, according to Dene law, custom and tradition, discussion among and decision-making by the Dene, our governments and Dene Nation Institutions;

(c) ensuring the Dene Nation offices are accessible and responsive to all Dene Citizens;

(d) reporting at least quarterly to the Leadership and Executive on issues of

importance to the Dene Nation, and reporting to each Assembly on the steps taken to implement resolutions adopted by the previous Assembly;

(e) recommending Chairpersons for meetings and committees;

(f) performing the operational and administrative functions necessary to oversee the daily business of the office of the Dene National Chief; and

(g) subject to the direction of the Executive, providing general direction to the CEO in the CEO's discharge of his/her functions and duties.

10.3 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.

10.4 The office of the Dene National Chief will assist in resolving issues as requested or required by Dene Citizens, Dene Communities, Dene Territories or the Leadership, but must remain neutral and impartial when dealing with internal Dene Territory or Dene Community disputes.

11.0 ELECTION OF THE DENE NATIONAL CHIEF

11.1 A person nominated for the position of the Dene National Chief must be a Dene Citizen at least 30 years of age at the time of the election, must not be indebted to the Dene Nation pursuant to a financial judgement, and must submit a criminal record check for the previous five years.

11.2 The Executive shall appoint an Election Committee of the National Assembly to coordinate and conduct the election for the Dene National Chief.

11.3 The Dene National Chief shall be elected or acclaimed by the Voting Delegates at the National Assembly, or selected according to Dene law, custom and tradition, and shall serve for a period of four (4) years, ~~provided that~~ and the term may be extended for up to six (6) months by the Executive if the Assembly at which the election is due cannot be held on time. The part of this clause extending the term of the National Chief to four (4) years

will take effect after the end of the National Chief's three year term in 2021.

11.4 The Dene National Chief will primarily reside in Yellowknife during his / her term and ~~will~~ must be a resident of the NWT during at least two of the past three years before the election.

12.0 SUSPENSION OF THE POWERS OF THE DENE NATIONAL CHIEF

12.1 The powers, functions, and duties of the Dene National Chief may be suspended as set out in the By-laws.

13.0 REMOVAL OF THE DENE NATIONAL CHIEF

13.1 The National Chief may be removed from office by the National Assembly as set out in the By-laws.

14.0 RESIGNATION OF THE DENE NATIONAL CHIEF

14.1 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.

3. And the following provisions of the amended Organizational By-law are hereby approved:

6.0 THE DENE NATIONAL CHIEF

6.1 The Dene National Chief shall fulfill all duties in accordance with the Constitution and By- laws, Assembly resolutions and Dene Nation policies and procedures.

6.2 The Dene National Chief shall take an oath of office upon being elected or acclaimed and before performing any act in an official capacity. The oath of office shall be approved by and administered before the National Assembly.

6.3 The Dene National Chief reports to the National Assembly and Leadership.

6.4 The Dene National Chief is the chairperson of the Executive.

6.5 If the Dene National Chief is incapacitated or otherwise unable to discharge the duties and functions of office for any period longer than thirty (30) days, the Leadership may appoint a spokesperson from amongst themselves in place of the Dene National Chief until:

(a) the Dene National Chief is able to resume official duties and functions; or

(b) another Dene National Chief is elected by the National Assembly.

Suspension of the Powers of the Dene National Chief

6.6 The Leadership may suspend the powers, functions, and duties of the Dene National Chief by a resolution at a Leadership meeting.

6.7 Upon suspension of a Dene National Chief by resolution, the Leadership shall appoint an interim National Chief by resolution who shall hold office until the suspension is rescinded by the Leadership or the National Assembly or until a new National Chief is elected.

6.8 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.

6.9 At a meeting of the National Assembly, the Assembly may, by consensus or resolution:

(i) rescind the suspension and restore the Dene National Chief to office;

(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 National Chief.

Removal of Dene National Chief

6.10 The Dene National Chief shall not be removed from office except by a resolution of the National Assembly.

6.11 Notice of a resolution to remove the Dene National Chief shall be given to all Dene Communities no less than thirty (30) days before a meeting of the National Assembly called for that purpose.

6.12 Subject to 6.11, notice shall be given in accordance with articles 3.2 and 3.3 of the By-Laws and the Notice shall include the resolution and the grounds upon which the removal of the Dene National Chief is requested.

6.13 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.

6.14 An interim Dene National Chief shall take the prescribed Oath of Office before a member of the Executive and before performing any act in an official capacity.

Moved: **Wayne Sabourin, Dehcho**

Seconded: **Chief Lloyd Chicot, Kakisa**

Date: **March 4, 2021, Ft. Simpson**

Resolution of the Dene National Assembly

Resolution # 7

Re: Constitutional Reform - CEO and Corporate Functions 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:

> 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.
>
> 6.0 INSPECTION OF RECORDS
>
> 6.1 The books and records or 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 31st.

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.

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

N/A

3. And the following provisions of the amended Organizational By-law are hereby approved:

7.0 CHIEF EXECUTIVE OFFICER (CEO)

7.1 The CEO will be appointed by and accountable to the Executive. Subject to the overriding authority of the Executive, the CEO is also accountable to the Dene National Chief on a day-to-day basis.

7.2 The CEO shall perform the following functions and duties:

(a) work on a day-to-day basis with the Dene National Chief to ensure the sound operations of the Dene Nation and the implementation of the resolutions of the National Assembly, Leadership and Executive Committee;

(b) develop for the approval of the Executive Committee, and implement upon approval, clear and concise written operational policies and procedures including for:

(i) the hiring and termination of employees, the payment of wages, salaries, and benefits, including for the National Chief;

(ii) the contracting of services to the Dene Nation;

(iii) conflicts of interest;

(iv) ensuring a safe and healthy work environment; and

(v) for the inspection of records;

(c) ensure that timely and informative notices of Assemblies, Leadership and Executive Committee meetings are sent, including draft resolutions to be considered at those meetings where appropriate or required;

(d) develop a draft strategic plan for the Executive Committee to consider;

(e) manage the financial affairs of the Dene Nation, including developing draft annual budgets for approval of the Executive Committee;

(f) manage the employees, contractors, administration and operations of the Dene Nation; and

(g) such other duties as may be set out in the CEO's contract of employment or may be assigned from time to time.

9.0 INSPECTION OF RECORDS

9.1 Subject to legal requirements and reasonable limitations, including limitations respecting the privacy of personal information, the books and records of the Dene Nation shall be open to inspection by a Dene Citizen at the head office or branch office of the Dene Nation upon written request made to the CEO.

9.2 The said inspection shall be conducted at such time(s) as the CEO and the Dene Citizen may agree. Failing agreement, the CEO shall fix a date and time for inspection.

9.3 The CEO shall monitor any inspection of records to ensure the integrity of the records is maintained.

10.0 YEARLY FINANCIAL STATEMENTS

10.1 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.

10.2 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 National Assembly, whether the Assembly is held in person or by electronic means, at which time the Financial Statement shall be approved by consensus or by vote.

10.3 The approved Financial Statement shall be filed with the Registrar of Societies within fourteen (14) days after the Annual National Assembly.

10.4 Along with the said Financial Statement, a list of the current Directors and Officers of the Dene Nation shall be filed with the Registrar of Societies.

10.5 The fiscal year end of the Dene Nation shall be March 31.

11.0 HEAD OFFICE AND BRANCH OFFICES

11.1 The head office of the Dene Nation will be located on a Reserve, with a branch office located in Yellowknife.

11.2 Other branch offices of the Dene Nation may be established by resolution of the Annual Assembly.

12.0 AMENDMENTS

12.1 This By-law may only be altered or rescinded by a resolution passed at a National Assembly.

Moved: **GC Wilbert Kochon**

Seconded: **Chief April Martel, KFN**

Date: **April 15, 2021; Inuvik**

Resolution of the Dene Nation Assembly

Resolution # 8

Re: Constitutional Reform - Amending and Interpreting the Constitution and By-Law

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:

> 9.0 CHANGES IS 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.

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

15.0 AMENDING THIS CONSTITUTION

15.1 The Constitution of the Dene Nation shall not be altered, varied, or rescinded in whole or in part except by a Special Resolution as set out in the By-laws.

15.2 The Notice required in the By-laws shall be sufficient for the purpose of amending the Constitution.

16.0 INTERPRETATION OF THE CONSTITUTION AND BY-LAWS

16.1 Nothing in the Constitution or By-Laws of the Dene Nation shall be interpreted in a way that interferes with or may have any adverse effects upon the Treaty or Aboriginal Rights, title and interests of Dene Citizens, Dene Territories, or Dene Communities, including rights or jurisdictions recognized in a Comprehensive Land Claim or self-government agreement.

16.2 In situations where this Constitution or the By-laws are silent, the Dene Nation shall be governed by Dene Laws, traditions and customs.

3. And the following provisions of the amended Organizational By-law are hereby approved:

N/A

Moved: **Chief Daniel Masazumi**

Seconded: **Levi MacDonald**

Resolution of the Dene Nation Assembly

Resolution # 9

Re: Constitutional Reform - Dene Elders Council; Dene Youth Council; Dene Women's Advisory Council

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 Dene Nation will benefit from giving more opportunity to hear the voices of our Elders, women and youth; 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:

3.2 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.

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.

2. The following provisions are hereby added to the Constitution of the Dene Nation:

7.0 DENE ELDERS COUNCIL (DEC)

7.1 Each Dene Territory will appoint an Elder and an Alternate Elder to the DEC, for a term of two years, with the appointments striving to reflect gender balance and different communities. The Independent Dene Communities will also appoint an Elder and an Alternate to the DEC on their behalf. The Alternate Elders will only attend DEC meetings when the Elders for whom they are appointed as Alternates cannot attend.

7.2 If a Dene Territory does not appoint an Elder or Alternate Elder, the National Chief may appoint an Elder from that Territory to serve on the DEC until the Territory appoints their Elder.

7.3 The DEC will provide guidance and recommendations to the Executive Committee and participate in Assemblies and Executive Committee meetings in an advisory capacity. The Elders will in particular give advice related to the principles outlined in the preamble of this Constitution.

7.4 The Dene National Chief shall appoint one Resident Dene Elder, and one Alternate Resident Dene Elder to act in the absence of the Resident Dene Elder, for his/her term in office. The Resident Dene Elder will provide advice in order to assist, guide and support the Dene National Chief during his or her term in office.

7.5 The Resident Elder shall Chair the DEC and liaise between the DEC and staff to carry out necessary tasks consistent with direction from DEC.

8.0 DENE YOUTH COUNCIL (DYC)

8.1 The Youth of each Dene Territory will choose a Youth delegate and an alternate, from different Dene Communities, with appointments reflecting gender balance, to the Dene Youth Council. The Youth of the Independent Dene Communities will also appoint a Youth delegate and an alternate to the DYC. The delegates and their alternates will serve terms of one year and the alternates will only attend DYC meetings when the Youth for whom they are appointed as alternates cannot attend.

8.2 If the Youth of a Dene Territory do not have the capacity to collectively choose Youth delegates to represent them, the Grand Chief of that Territory may appoint Youth from that Territory to serve on the DYC until the Territory's Youth choose their own representatives.

8.3 The DYC will provide guidance and recommendations to the Leadership, Executive Committee and Dene National Chief, and will participate in Assemblies and Leadership and Executive Committee meetings in an advisory capacity.

9.0 DENE WOMEN'S ADVISORY COUNCIL (DWAC)

9.1 The women of each Dene Territory will appoint a delegate and an alternate, from two different Dene Communities, to the Dene Women's Advisory Council. The women of the Independent Dene Communities will also appoint a delegate and an alternate to the DWAC. The delegates and their alternates will serve terms of four years and the alternates will only attend DWAC meetings when the delegates for whom they are appointed as alternates cannot attend.

9.2 If the women of a Dene Territory do not have the capacity to collectively choose a delegate and alternate to represent them, the Grand Chief of that Territory may appoint a Dene woman from that Territory to serve on the DWAC until the Territory's women choose their own representatives.

9.3 The DWAC will provide guidance and recommendations to the Leadership, Executive Committee and Dene National Chief, and will participate in Assemblies and Leadership and Executive Committee meetings in an advisory capacity.

3. And the following provisions of the proposed By-Law are hereby adopted:

8.0 DENE ELDERS COUNCIL (DEC), DENE WOMEN'S ADVISORY COUNCIL (DWAC) and DENE YOUTH COUNCIL (DYC)

8.1 Members of the DEC, DWAC and DYC are subject to the Dene Nation's policies, guidelines and procedures.

8.2 The Executive will, in consultation with representatives of Dene Elders, women and youth, develop and implement terms of reference for the operation of the DEC,

DWAC and DYC.

Moved: **Chief Phillip Blake**

Seconded: **Chief Wanda Pascal**

Date: **March 31, Inuvik**

Dene National Assembly

Resolution # 10

Re: Constitutional Reform

Whereas the Dene National Chief was elected on a mandate to promote and defend the unity of the Dene Nation, in part by reforming 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 has conducted consultations with Dene leaders and communities while developing a proposed new Constitution and By-law for the Dene Nation; and

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

THEREFORE BE IT RESOLVED THAT The current By-laws of the Dene Nation are hereby repealed and the proposed new Constitution and By-Laws are hereby approved.

Moved: **Grand Chief Ken Kyikavichik**

Seconded: **Chief April Martel**

Date: **April 15, Inuvik**

Dene National Assembly

Resolution Re: Declaration of United Dene

Whereas the Dene National Chief was elected on a mandate to promote and defend the unity 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 has conducted consultations with Dene leaders and communities while developing a proposed new Declaration of the United Dene which will, if approved, stand alongside the 1975 Dene Declaration as a statement of our nationhood,

THEREFORE BE IT RESOLVED THAT The Declaration of the United Dene is hereby approved.

Moved: Chief Gerry Cheezie

Seconded: Chief Wanda Pascal

Date: April 15, 2021, Inuvik

BRIEFING NOTE
TO
DENE NATIONAL CHIEF GEORGE MACKENZIE
FOR
INFORMATION

SUBJECT: Western Boreal Initiative (WBI)

DATE: February 06, 2025

REQUESTED BY: Dene National Chief George Mackenzie

DRAFTED BY: Trevor Teed Director L&E

SUMMARY

- During January 2020 the Canadian Wildlife Service (CWS) of Environment and Climate Change Canada (ECCC) approached Dene Nation and asked is the Lands and Environment Department would be interested to prepare a paper on how Dene Knowledge might be used to protect boreal caribou and its critical habitat. The CWS member to the Sahtu Renewable Resources Board (SRRB) read the Dene Nation's Dene knowledge report, "We Have Always Been Here" and believed Dene Nation would be able to provide the CWS with a single report with information from the five Dene regions dealing with how knowledge may be used.
- During November 2020, after months of discussion Dene Nation agreed to prepare a proposal to submit to CWS. Dene Nation had to use a caribou biologist to satisfy the government and Dr. Joe Dragon, a Dene citizen, agreed to help prepare the proposal and work with Dene Nation if the proposal was approved.
- Dr. Dragon and Trevor Teed worked through the 2020 Christmas holidays to prepare and submit a proposal before the end of December 2020.
- A three-year proposal was submitted and a contribution agreement was approved for $1,000,070.
- There are six main deliverables to the contribution agreement: **1.** A Dene Student (Leanne Goose) must be used to advance their education to earn a Masrs degree or a PhD in Dene Knowledge. **2.** The Dene Student would create a new booklet to replace the Dene Nation booklet entitled "TK For Dummies". **3.** There will be 5 regional leadership meetings to get approval and direction for Dene Nation to return and hold a workshop in each region. **4.**There ill be 5 regional workshops for Dene Nation to learn how knowledge from the region may be used. **5.** There will be a final regional conference where the results will be reported to the Chiefs. **6.** A final report will be prepared.
- There were regional leadership meetings held in the Gwich'in and Sahtu regions (approval was granted to hold workshops) but the Akaitcho leadership meetings were modified and most communities were visited individually.

- A workshop was held in the Gwich'in region but Covid-19 hit and travel plans were halted so the Sahtu workshop was postponed as were any plans for the Dehcho leadership meeting & workshop, Akaitcho sessions also were subject to delay.
- A modified agreement was made between the Tlicho Government and Dene Nation and a workshop was held under Tlicho direction.
- The Sahtu leadership meeting advanced and it approved a workshop that was held during the fall of 2024.
- An Akaitcho workshop planned for January 2025 was postponed.

PURPOSE:

- To provide DNC George Mackenzie and the Dene Leadership with an update on the WBI for the Dene Leadership Meeting at Deline February 11-13, 2025.

DENE NATION (Lands) ACTIVITIES:

- Negotiated the contribution agreement.
- Conducted regional leadership meetings on Dene Knowledge.
- Conducted regional workshops on use of Dene Knowledge to protect boreal caribou and its critical habitat.
- Negotiated an extension to the contribution agreement due to Covid-19 travel restrictions.
- Came to terms with the Tlicho Government to accomplish their participation with the WBI.
- Closing up the contribution agreement before March 31, 2025.

CONSIDERATIONS:

- The Dene Nation may have to modify the deliverables to close off the contribution agreement.

Recommendations:

1. Report to the Dene Leadership Meeting at Deline.
2. Modify and complete any outstanding deliverables.
3. Complete the Dene Knowledge booklet.
4. Complete the final report.
5. Assist Leanne to obtain her degree in Dene Knowledge.

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DENE LEADERSHIP MEETING **DRAFT RESOLUTION #24/25-001**
Délı̨nę, NT
February 11-13, 2025

SUBJECT: **Appointment of Dene National Assembly Co-Chairs**

MOVED BY:

SECONDED BY:

DECISION:

WHEREAS, the Dene Nation has convened a Dene Leadership Meeting, in Délı̨nę, Denendeh on February 11-13, 2025; And

WHEREAS, the Dene National Assembly has appointed _____, and _____to preside as Co-Chairs for the purposes of conducting this Dene Leadership Meeting; And

THEREFORE, **BE IT RESOLVED** that the Dene Leadership Meeting delegates accept the appointment of _____ and _____ as Co-Chairs, to uphold all rights and procedures in accordance with Dene Nation Constitution and By-laws.

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Dene Leadership Meeting
Délı̨nę, NT
February 11-13, 2025

RESOLUTION #24/25-02

SUBJECT: Adopt Agenda

MOVED BY:

SECONDED BY:

DECISION:

WHEREAS, the Dene Nation has convened the Dene Leadership meeting, in Délı̨nę, Denendeh on February 11th, 2025.

WHEREAS, the agenda has been presented by the delegation and is accepted.

THEREFORE, BE IT RESOLVED that the delegation accepts the Agenda as presented.

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Dene Leadership Meeting
Délı̨nę, NT
February 11-13, 2025

RESOLUTION #24/25-05

SUBJECT: Closing of Dene Leadership Meeting

MOVED BY:

SECONDED BY:

DECISION:

WHEREAS, the Dene Nation has convened the Dene Leadership meeting, in Délı̨nę, Denendeh on February 11th, 2025; And

WHEREAS, the Dene Leadership Meeting has allowed for meaningful discussions regarding the cultural, social, economic, and environmental wellbeing of our communities; And

WHEREAS, agenda items have been addressed and concluded in accordance with our guiding principles and procedures;

THEREFORE, BE IT RESOLVED; that the Dene Nation hereby concludes the Dene Leadership Meeting held on February 11-13, 2025, acknowledging the contributions of all participants and the progress made toward our shared goals; And

THEREFORE, BE IT FINALLY RESOLVED; that we extend our gratitude to all Chiefs, Elders, Delegates, facilitators, and support staff for their engagement and contributions to the success of this meeting.