

IMPORTANT INFORMATION ABOUT

Approving the D l n  First Nation Constitution

A special meeting will be held in the Community of D l n  to consider and approve the D l n  Constitution on February 27, 2014. You are receiving this package to ensure you:

- are aware of this meeting
- understand what is being voted on
- can provide a proxy to vote for you if you cannot be at the meeting

The following questions and answers are provided to give you more information about the D l n  Constitution, the approval process and how you can participate.

Who can vote on the Constitution?

Anyone who is on the official voters list for the ratification of the D l n  Final Self-Government Agreement is eligible to vote on the D l n  Constitution.

(This means that you must be 18 years or older on March 11 and be a member of the D l n  First Nation Band or a member of the D l n  Land Corporation, but not a member of any land corporation other than the D l n  Land Corporation or enrolled in another land claim or self-government agreement.)

You can check who is on the list on the internet at www.ourdeline.ca or by contacting the Ratification Manager, Gina Bayha at (867) 589- 8120 or gbayha@hotmail.com.

If you are a member of the D l n  Land Corporation (DLC) but cannot attend the meeting, you can give written permission to any DLC member to vote for you if you give that person a written proxy. This is provided under the DLC by-laws. The First Nation does not have a written proxy procedure.

Why do we need a Constitution under self-government?

The self-government agreement is between D l n , Canada and the Government of the Northwest Territories (GNWT). The agreement describes the D l n  Got'ine Government (DGG) governance responsibilities and how those will fit with the governance responsibilities of Canada and GNWT. Those three governments are guided by the self-government agreement when it comes to how they will work together. The D l n  Constitution describes the principles and values that will guide how the DGG operates. The Constitution was developed by residents at a series of public workshops between 2007 and 2010. The self-government agreement describes the governing functions the DGG will have, but the Constitution talks about values that will guide how the DGG will operate. This includes values of good government such as transparency and accountability, as well as D l n  Got'ine values, culture and way of life. A big reason for having self-government is to ensure that D l n  is governed according to Dene values and culture. The Constitution describes clearly some of the major ways that the DGG will follow Dene values and culture.

What is the Déljné Constitution?

The Constitution is a high-level document that sets out fundamental principles to guide the new Déljné Got'ine Government (DGG). Draft #9 of the Déljné Constitution (dated November 19, 2013) is posted on the Déljné website (www.ourdeline.ca). An overview of the constitution and a factsheet summarizing what is in the Constitution are also available on the website.

The Constitution confirms that the Déljné First Nation has negotiated with Canada and the GNWT to establish a new unified aboriginal public government in Déljné. The new government must follow the principles set out in the Constitution including: protection of Great Bear Lake and the environment, to live in harmony with the lands, waters and the animals, and to respect the wisdom of the Prophet, our ancestors and the elders. The Constitution also describes the structure of the new government and its institutions and the duties of the Chief and Main Council and of being a Déljné First Nation Citizen. The Constitution can be amended by a community Assembly in the future if necessary.

Any laws to be passed by the new Déljné Got'ine Government must be consistent with the Constitution and with the Final Self-government Agreement. The laws of Déljné must also be consistent with the Canadian Charter of Rights and Freedoms.

What is the upcoming special meeting on the Constitution about?

The Constitution must be approved by the Déljné First Nation and the Déljné Land Corporation before the self-government agreement is ratified through a vote. Everyone eligible to vote on the Final Self-Government Agreement is also eligible to vote on the Constitution. It does not have to be approved by Government. Approval by the voters is required by the Final Self-government Agreement. After six public workshops between 2007 and 2011 where Déljné residents gave instructions about what should be in the Constitution the ninth draft dated November 19, 2013 was written. This draft is the final one, and is posted on www.ourdeline.ca.

The final approval of the Constitution will be at a joint Assembly of members of the First Nation and Land Corporation to be held in Déljné on February 27, 2014. Under the FSGA and the AIP the approval of the Constitution by the members must take place before the ratification vote for the FSGA. Notice of the special joint Assembly and a copy of the draft resolution to approve the Constitution is being sent to members during the week of February 03, 2014.

Can changes be made in the Constitution at the Assembly?

Yes. If someone wants to make a wording change this can be discussed and voted on during the meeting before the final approval vote. (A similar procedure was followed at the special assembly held some years ago to approve the Tlicho constitution.) The draft Constitution is ten pages long and its provisions will be reviewed and discussed by the members during the meeting before the final vote is taken. Because the Constitution was developed in a series of public workshops in Déljné, the community is familiar with what is in the Constitution.

Can the Constitution be changed after it has been approved?

Yes, the Constitution can be changed through a process described in section 13 of the Constitution. It requires that changes (amendments) be provided 90 days before a vote on the Constitution, and that amendments be approved in a secret ballot vote by at least 60% of those who are voting.

Why is the meeting to approve the Constitution being held the month before the vote on the Final Self-Government Agreement (FSGA)?

The Constitution has been discussed for several years in Déjñę. For the last several months, the self-government team has been making an intensive effort to provide information about the self-government agreement to voters. Voters have had several months to learn about the details of the agreement, including the Constitution. This time period has provided time for voters to consider the Constitution alongside the FSGA and other agreements in the FSGA package. This intensive communication period has provided voters with a chance to learn about the details of the FSGA package, allowing for an informed decision to be made about the Constitution and FSGA.